Nepal

HUMAN RIGHTS YEAR BOOK 2022

Issues of Human Rights Protection

Nepal Human Rights Year Book 2022

(ENGLISH EDITION)

(This Report Covers the Period - January to December 2021)

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Informal Sector Service Centre (INSEC)

Founded in 1988, INSEC is actively involved in human rights and social justice. INSEC operates its regular programs through its offices in Biratnagar, Janakpurdham, Hetauda, Pokhara, Nepalgunj, Birendranagar and Dhangadhi. For the studying and monitoring of the incidents on human rights violation, it has mobilized district representatives in all 77 districts.

INSEC General Assembly held on 8 November 2019 elected a new Executive Board for three years

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

Human Rights Documentation and Advocacy Program
INSEC has been contributing to human rights protection and promotion through human rights monitoring, documentation, dissemination, and advocacy activities since its establishment. Nepal Human Rights Year Book was conceptualized in 1992 and continued till date after realizing the need for a comprehensive documentation of human rights situation in Nepal. Furthermore, INSEC Online, situation and thematic reports and reports on human rights issues are being published based on different sources including its district representatives. Issues, facts and figures of the human rights related reports are the key foundation for advocacy of protection and promotion of human rights. INSEC continuously collaborating with the civil society organizations, stakeholders, international community, and experts to improve the human rights friendly legal and policy framework and its enforcement for reducing human rights violation and abuse. Human rights documentation and advocacy works of INSEC aim to further strengthen the accountability of the state in fulfilling its commitment on human rights principle which were visible through the international forums, ratification of the international human rights treaties and conventions and the Constitutions of Nepal.

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. The main objective of this Program is to ensure public access to human rights information through radio. Current relevant human rights issues are disseminated through this Program on weekly basis.

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
CIEDP	:	Commission on Investigation of Enforced Disappeared Persons
CPA	:	Comprehensive Peace Agreement
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
DEO	:	District Education 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
HoR	:	House of Representatives
HRD	:	Human Rights Defenders
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
MPC	:	Metropolitan Police Circle
NA	:	Nepal Army
NBA	:	Nepal Bar Association
NC	:	Nepali Congress
NCP	:	Nepal Communist Party
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
RM	:	Rural Municipalities
SC	:	Supreme Court
SDG	:	Sustainable Developement Goal
SP	:	Superintendent of Police
SSP	:	Senior Superintendent of Police
TRC	:	Truth and Reconciliation Commission
TU	:	Tribhuwan University
UDHR	:	Universal Declaration of Human Rights
UNESCO	:	United Nations Education, Scientific and Cultural Organization
UNICEF	:	United Nations Children's Fund
UPR	:	Universal Periodic Review
VDC	:	Village Development Committee
VAW	:	Violence against Women
WCSC	:	Women and Children Service Centre
WFP	:	World Food Program
WHO	:	World Health Organization
WHRDs	:	Women Human Rights Defenders

Suspicion of Political Instability

It is an immense pleasure to share the 30th edition of Nepal Human Rights Year Book (NHRYB) with the verified documentation of human rights situation including the major contextual changes and incidents in the country. The Human Rights Yearbook has served as a trusted source of information for state agencies as well as providing insight into Nepal's human rights situation for the international community. INSEC's intents to publish its human rights documentation periodically in order to raise awareness on the need of conscious action at the citizen and state level for the protection of dignity and liberty of the people.

We have been able to publish the Nepal Human Rights Year Book during difficult and complex conditions like the ten-year long armed conflict, state of emergencies, and the pandemic of COVID-19. During the drafting of this Nepal Human Rights Year Book, several INSEC district representatives and staff members were infected by COVID-19. Despite such adversity, INSEC has been successful to bring this edition into publication.

There was a belief that the country entered towards the political stability after the completion of three tier of election. However, during this time, the House of Representatives dissolved twice. Although the parliament, reinstated by the Supreme Court, formed a coalition government – it was unable to function smoothly. The six provincial governments were replaced and the Province Governors were changed time and again. This further contributed towards exacerbating preexisting political instability. Imbalanced exercise of the principle of separation of power was witnessed when the three organs of the State, Judiciary, Executive, and Legislature encroached each-others' jurisdictions. The recent contextual changes have indicated the suspicion on political instability.

This year as well, the country couldn't remain untouched by the impacts of COVID-19. Twice the number of people lost their lives in the second wave of COVID-19, due to the highly fatal mutated Delta Variant, declared by World Health organization. Although the World Health Organization (WHO) and the Ministry of Health had already forecasted the spread of COVID-19 infection from April in Nepal, the federal, province, and local governments did not ensure the appropriate responding strategies for the prevention, control, and treatment of COVID-19. In the second wave of COVID-19, the general public had to lose their lives due to lack of hospital beds, oxygen supplies, and untimely hospitalization. Six people died in Gandaki Provincial Hospital during this period due to the lack of oxygen supply.

There were also reported cases of several COVID-19 patients being forced to seek treatment outside hospital buildings due to beds and space constraints. There was public criticisms against the responsible authorities for misallocating or misusing funds allocated by the federal government for the COVID-19 crisis response. The government was further criticized for their inept monitoring and response towards incidents of financial wrongdoing by private medical institutions.

The lack of effective technology and internet infrastructure meant several students were deprived from the opportunity to attend online classes initiated by their schools. The pandemic increased the rate of unemployment and forced people to leave their profession

due to the lack of effective programs from the government to protect the communities at risks.

No effective investigation was ensured in the increasing rate of deaths and suicides in custody. In most of the cases, deaths were declared as a suicide. It is not a pleasant message for the protection of human rights to receive the information about the suicides of inmates in custody who were under the surveillance of police for 24-hours. The misery of the fact is that no accountability is ensured in such cases. Negligence further promoted the cases of death in jail and detentions. Despite many commitments regarding jail reforms, no initiative has been taken to address the issues such as overcrowding, abuse, and exploitation of inmates by the authorities.

There were various forms of discrimination and violence found against women, children, and marginalized communities. Although those involved in such cases were brought in the ambit of law, the trend of violation of such rights were noted to be increasing in documentation of Nepal Human Rights Year Book. Poverty, illiteracy, and lack of public awareness were found to be the responsible factors behind this trend.

Transitional justice mechanisms were unable to fulfil their anticipated roles. Additionally, the mechanisms could not succeed in meeting the compliance for the establishment of truth for justice and making recommendations for the reparation based on available circumstantial evidences.

The number of cases adjudicated and decisions rendered by the judiciary was affected last year due to the surge of COVID-19. In some districts, the final verdict was not rendered even in the cases against women and children. Such incidents further amplified the realization of the notable principle of the justice system - 'Justice delayed is Justice denied'.

Nepal Human Rights Yearbook 2022 presents the situation of human rights in Nepal based on the documentation of 2021 and experience of the previous years. We have consciously incorporated the issues of relevance in the yearbook. As with previous years, INSEC district representatives have documented information from primary sources. The continuity of this publication has been possible due to close cooperation of the people, human rights activists, local administration, and the media. We are thankful for the 30 years of continuous support from the Royal Norwegian Embassy and other donors for their partnership in the documentation of the issues of human rights.

It is also essential to express sincere appreciation towards all members of the INSEC family and Secretariat, who work continuously and vigorously for the publication of the Nepal Human Rights Year Book that is launched on the 19th of February - the National Democracy Day every year.

Dr. Indira Shrestha
Chairperson
February 19, 2022

Chapter 1

Issues of Human Rights Protection

This is the 30th edition of the Nepal Human Rights Yearbook. This edition has analyzed cases of human rights violations and abuses from 2021, and reviewed the roles of the Executive, the Judiciary, and the Legislature to protect and promote human rights in Nepal. INSEC believes that this publication will contribute in a meticulous interpretation of the human rights situation in the country. The primary information obtained through its representatives from 77 Districts has made the book investigative and valuable for collection. INSEC's representatives go to the site of the incident to collect first-hand information. The cases are then verified and validated by cooperating and coordinating with law enforcement agencies, local administration, political parties, human rights activists, and other relevant organizations. Subsequently, case details are integrated into the Human Rights Violation Database verified at each of INSEC's seven province -level offices. The final verification is completed in central office periodically. The bi-annual meeting on publication reviews the cases for missing information while the year-end meeting finalizes cases for publication.

It has successfully established itself as a human rights watchdog as a result of its work to promote and protect universal principles of human rights and ensure adequate State response, amidst historical political changes such as in the nascent phase of democracy after 1990, the ten-year long armed conflict, and the subsequent re-institutionalization of democracy.

Since 2021, INSEC has adopted a tech-friendly approach to ensure easy access to its human rights monitoring, documentation, and publication work. The Human Rights Year book is disseminated digitally along with human rights data through *hrvdata.insec.org.np*.

Each year, the Yearbook objectively and transparently presents the roles of different institutions in relation to human rights. We have continued the reports on the economic, social, and cultural rights from all seven provinces in this edition. Additionally, the book includes human rights cases and trends of human rights violations from each district. INSEC expects that the book will be an evidence for reflecting the situation of human rights in the country.

Among the documented cases of human rights violations and abuses, 16 percent were from Province 1, 11 percent from Madhesh Province, 17 percent from Bagmati Province, eight percent from Gandaki Province, 29 percent from Lumbini Province, seven percent from Karnali Province, and 12 percent from Sudurpaschim Province. Eighty-six percent of the total cases pertained to violations and abuses against women and child rights.

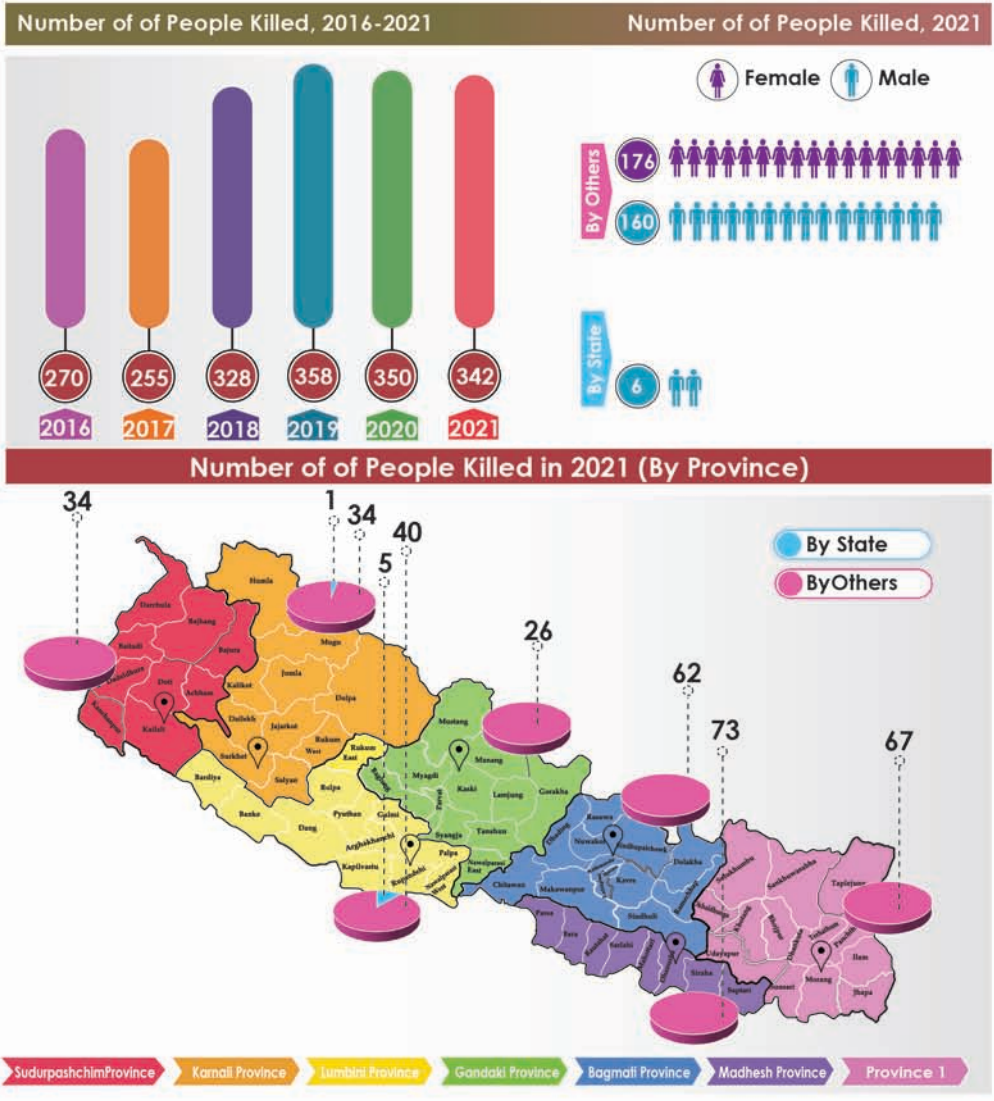
Based on INSEC's documentation, gender based violence and structural barriers are the fundamental challenges for human rights protection in 2021. Various incidents have created an ample space to question the accountability of law enforcement agencies, indicating a sense of indif-

NUMBER OF VICTIMS AS PER INCIDENTS IN 2021

Incident Wise

	By State			By Others			
	Female	Male	Total	Female	Male	Total	Grand Total
Abduction				20	13	33	33
Arrest		35	35				35
Beating	4	28	32	40	194	234	266
Child Rights				1479	43	1522	1522
Death in Detention		5	5				5
Inhuman Behaviour	5	2	7	2	15	17	24
Injured	2	28	30	15	91	106	136
Killing		6	6	176	160	336	342
Racial Discrimination				12	16	28	28
Right to Assembly	39	324	363				363
Threat		6	6	3	27	30	36
Torture		3	3				3
Women Rights	1		1	3416		3416	3417
Death in Jail	1	73	74				74
Disappearance					1	1	1
Grand Total	52	510	562	5163	560	5723	6285

KILLING



Right to life is one of the most important rights but, people are killed in many instances. This year six males were killed by the state. INSEC documented the killing of 336 people including 176 female and 160 male by others in 2021.

ference of the state institutions to protect human rights.

Women Rights in the Vicious Cycle of Violence

The discrimination, violence, and exclusion against women violates the humanitarian principles of equality and respect. INSEC's documentation shows a surge of barriers, in the last decade, as result of a person's gender identity, adversely impacting their dignity, security, and a spectrum of political, economic, social, cultural rights. Forty-nine percent of the cases documented in the last 10 years relate to the violations of women rights. Sixty percent of the cases documented this year pertain to women rights violations. Fifty-two women were victims of human rights violation by the State and 5163 women were victims of human rights abuse. Sixty-one percent of the total incidents of human rights abuses were related to women rights violation and 25 percent were of child rights violation.

All actions and activities targeted against women in their personal and public life that affect them physically, sexually, psychologically, or mentally constitute violence against women. Additionally, threats, verbal abuse, and discriminatory behaviours represent the nature of cases.

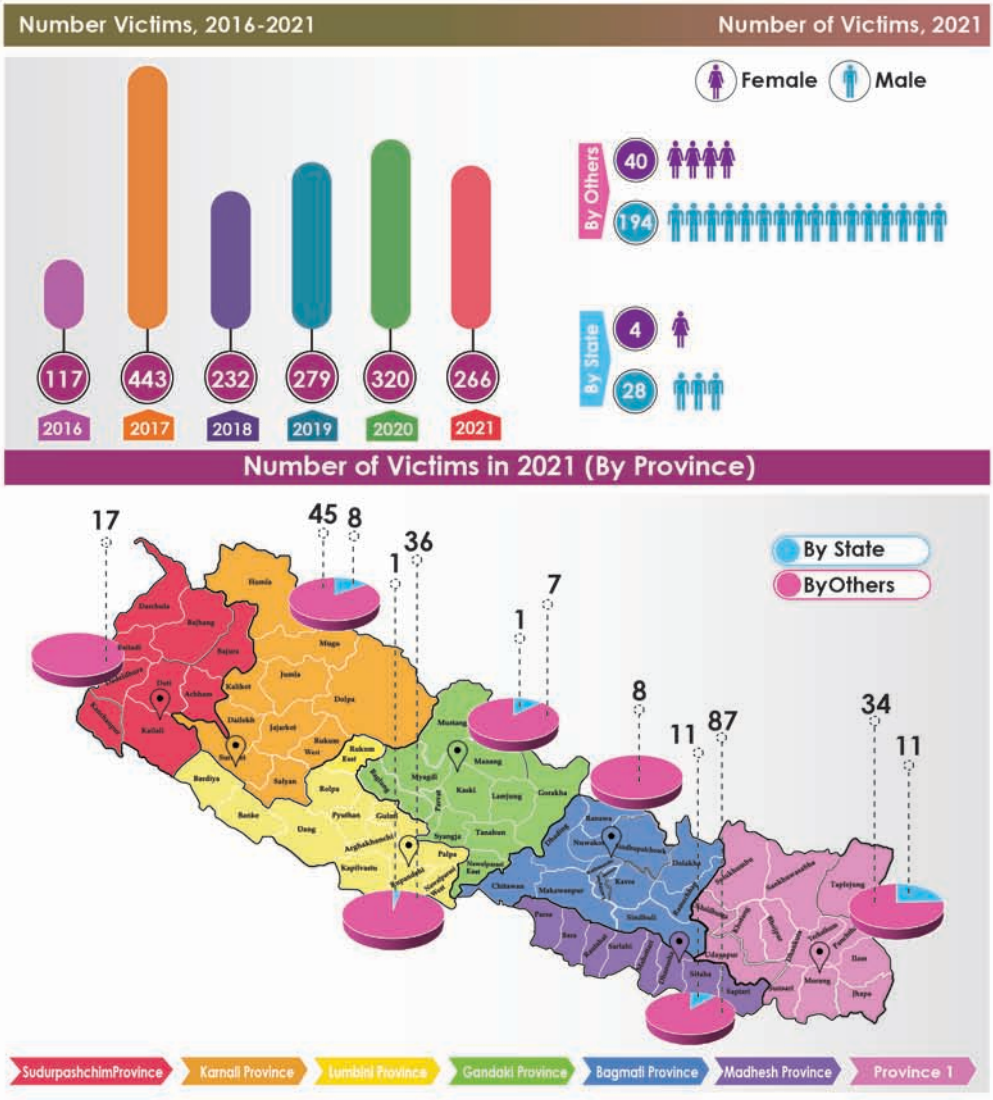
As documented by INSEC, women are victimized in Nepal in multiple ways: allegations of witchcraft, sexual violence, rape, incest, sexual harassment in workplace, dowry and economic violence, physical abuse, female feticide, child marriage, marital rape, discrimination against single or elderly women, and traditional and discriminatory superstitions. Women are trapped into the vicious cycle of violence because the conditioned fear of men weakens their activism and demand for rights and thus, makes them accept the violations as a way of life.

There is a gap in ensuring justice in cases where women are set on fire, forcefully evicted from homes, and excluded from enjoying property rights. A laggard process to seek justice coupled with lack of resources and protection mechanisms at the provincial and local level hinder women from accessing justice. No class, caste, or culture is void of violence against women. Families, communities, and the State are increasingly becoming apathetic towards gender-based violence. This year, 1,843 cases were reconciled through mediation and out of the 3,386 cases, a mere three percent were concluded through legal proceedings. This raises a very serious question on the accountability of justice delivery institutions.

Violence against women has become a matter of serious concern due to the superstitions, structural barriers, discriminatory policies and laws, and weakening of gender accountability of law enforcement agencies. The gender identity of women endangered due to discrimination, exclusion, and violence and the discriminatory rites, culture, practices, and attitudes push women towards the vicious cycle of suffering till their final rites.

Police arrested Shailesh Kumar Lodh, 34, and his younger brother Rajesh Kumar Lodh, 30, on March 7, 2021, alleging that they had killedfor the alleged murder of Kusum Lodh, 32, of Duvethumuwa in Sammarimai Rural Municipality-5. Kusum was the wife of Shailesh and sister-in-law of Rajesh. The accused had taken Kusum and their 15-month-old child on a motorcycle (Lu 62 Pa 1401) ride to Lumbini Parsa on February 27. Shailesh informed the patrol team from Lumbini's Area Police Office that his wife was hit by a vehicle numbered (Lu. 2 Ch. 1517) and her jewelry was robbed on gunpoint. The police took the victim Kusum to Bhim Hospital, Bhairahawa in the police vehicle where Kusum was declared dead. The accused brought the deceased to the spot with the intent to kill her and involved his brother to help him. Shailesh stopped his motorcycle in the pretext of urinating and asked his wife to stand by the road. He suggested Rajesh to get a vehicle with an Indian number plate (UP 55 N 8598). Rajesh struck down Kusum with the vehicle and rode it over her body two to three times to kill her. Shailesh used to beat Kusum and she was killed due to a domestic dispute that took place just a day

BEATING



Incident of beating occurs on regular basis. But, incidents of beating on human rights defenders were also documented by INSEC. In 2021, 266 people were victims in the incident of beating. This includes 32 beaten by the state and 234 beaten by others. These incidents occur when a person fails to control his/her anger. Majority of beating incidents are settled or reconciled as per our documentation.

NUMBER OF VICTIMS AS PER INCIDENTS IN 2021

Province Wise

	Province 1	Madhesh Province	Bagmati Province	Gandaki Province	Lumbini Province	Karnali Province	Sudurpashchim Province	Grand Total
Abduction	4	24	2		2	1		33
Arrest	3	3	10	6	3	7	3	35
Beating	45	98	8	8	37	53	17	266
Child Rights	305	223	424	110	295	84	81	1522
Death in Detention	2	1	1		1			5
Inhuman Behaviour		11	2	3	3	4	1	24
Injured	12	22		8	76	4	14	136
Killing	67	73	62	26	45	35	34	342
Racial Discrimination	1	6	3	4	2	10	2	28
Right to Assembly		58	215	33	32	11	14	363
Threat	4	5		3	4	14	6	36
Torture	1	1			1			3
Women Rights	468	228	389	310	1284	205	533	3417
Death in Jail	7	5	57	2	1	2		74
Disappearance							1	1
Grand Total	919	758	1173	513	1786	430	706	6285

before the incident. Kusum had bought a life insurance policy and Shailesh wanted to get that money. The body was handed over to the family after postmortem at Bhim Hospital, Bhairahawa on February 28. The accused were remanded to judicial custody on March 23. The case was not resolved until the end of 2021.

The Constitution of Nepal guarantees the right to dignified life, right to equality, and non-discrimination based on caste, race, culture, religion, physical status, marital status, and sexual or gender identity. However, there is a dearth of proper efforts from the State to guarantee the security and rights of women. Violence against women on grounds of religion, social and cultural traditions, or any other basis is antithetical to a civilized society. Unequal power relations between men and women, access and control over the mode of production and distribution, and weak implementation of laws enable violence against women to persist despite its criminalization and acceptance as a grave offense against humanity.

The state should implement the international human rights conventions and related laws and policies, and ensure the protection mechanisms are adequately resourced. There is an urgency to ensure timely and easy access to justice to reduce incidents of human rights violations and abuse. To end this protracted state of injustice, violence, and discrimination against women, we need an empowered civil society, accountability of the law enforcement agencies, and resilient protection mechanisms in Nepal.

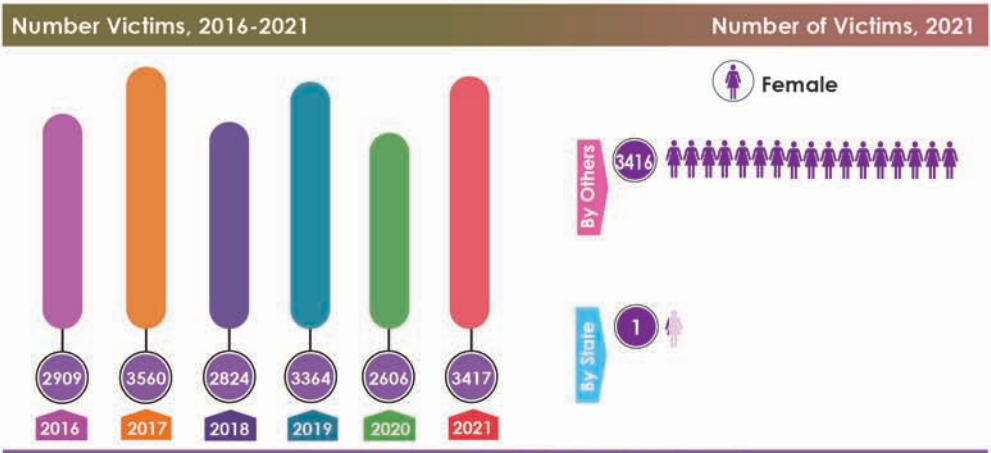
Suspicious Deaths in Custody and Unanswered Questions

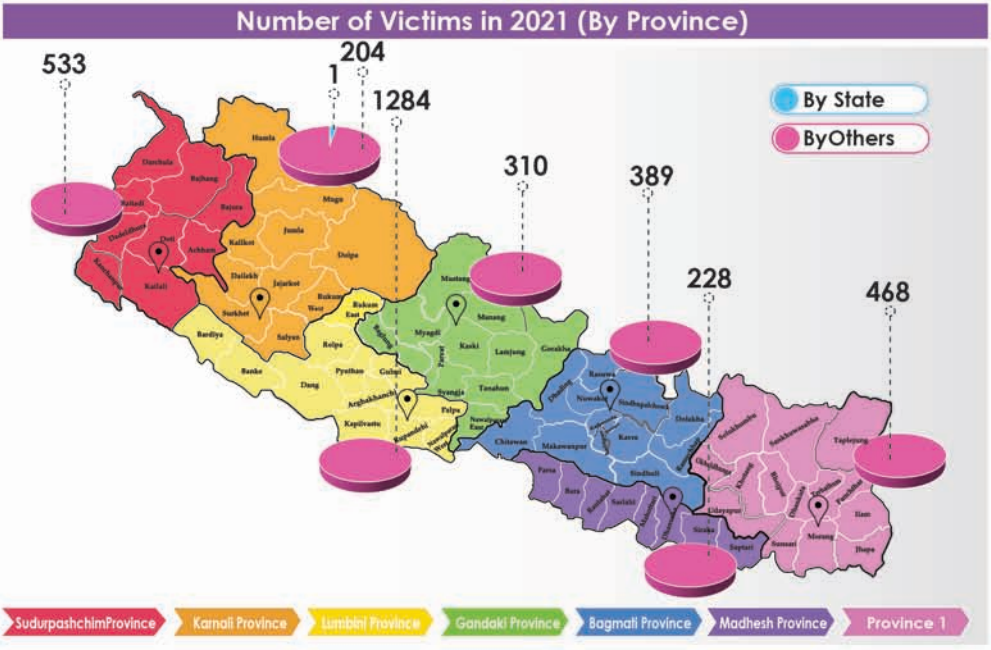
In the last five years, INSEC has documented suspicious trends in relation to death in custody. A total of 19 deaths were recorded in this period. The rise of human rights violations and accountability gap in cases of custodial death authorities have not elicited response or actions from authorities. There is criticisms in mass media that the State's treatment of detainees is based on their caste, structural control, and poverty and thus, extra-legal. No appropriate actions or investigations on the suspicious custodial deaths, and no prosecutions ever demonstrate the dwindling accountability of State institutions on this issue.

There were five custodial deaths recorded this year, 20 percent of whom belonged to the Dalit community. The statistics support the claim of mass media which has been decrying targeted detention of people to benefit the dominant class of society, and the extreme physical and mental torture inflicted on them by the police to coerce acceptance of changes. The absence of independent investigation, failure to identify perpetrators, and no prosecution in cases of custodial deaths impugns serious concerns on the state of human rights protection in Nepal.

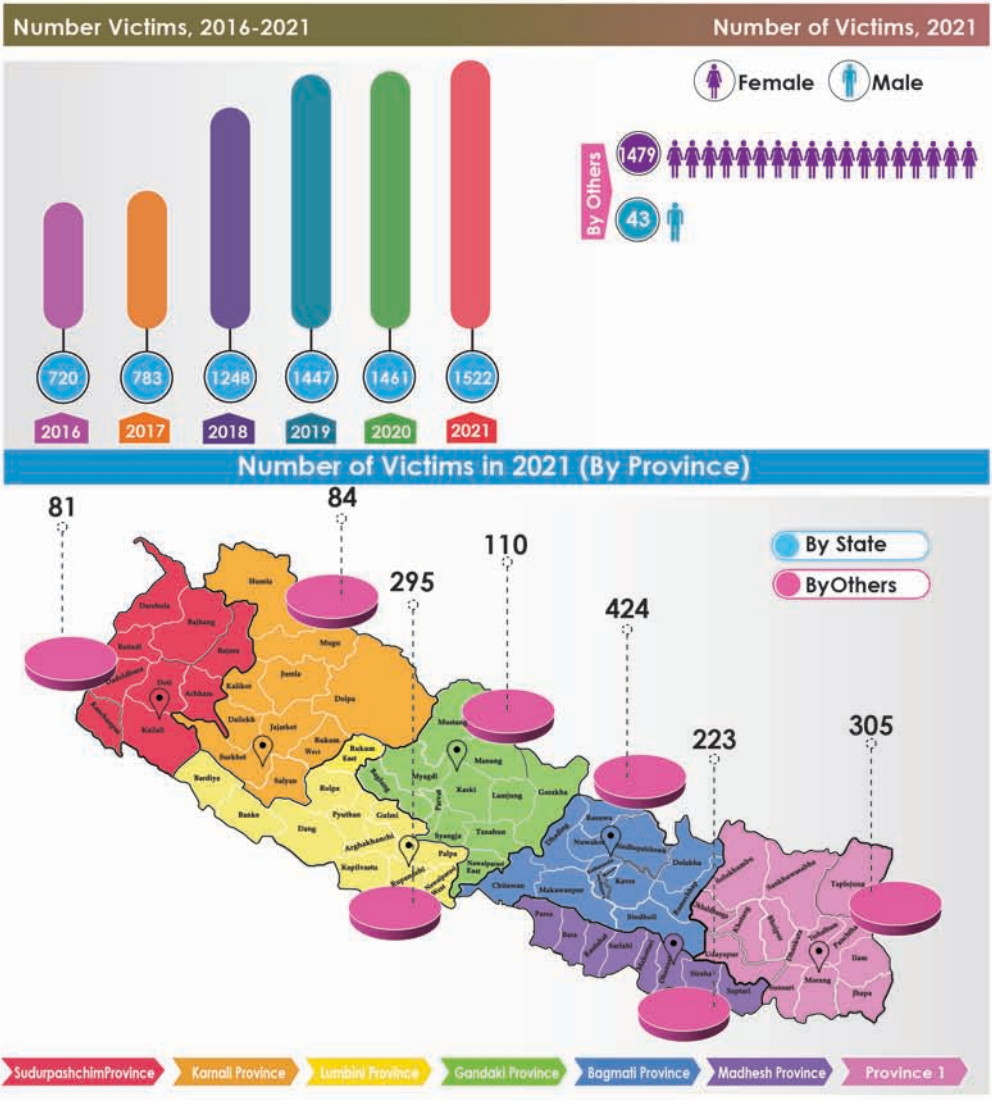
Khadga Bahadur Tamang (32) of Barhabise Municipality – 7 died in custody of Area Police Office, Barhabise on 6 August 2021. He was arrested and in custody from August 2 on allegations of theft. He was taken to the primary health center in Barhabaise as he was not eating properly, demonstrating unusual behaviours, and his overall health had enfeebled. As briefed by Dr. Anupama Thapa from the health centre, Tamang had bruises on his body and his fingers. For his seriousness, Tamang was referred to Dhulikhel Hospital but declared dead on arrival. INSEC and the National Human Rights Commission conducted an onsite visit to study the case. INSEC's report concluded police's negligence as the cause of death of a person whose security is supposed to be guaranteed by the State. The Inspector of the Area Police Office claimed that Tamang was an alcoholic and died because he could not have alcohol in custody.

It is not just detainees in custody, but prisoners too who are confronted with this kind of insecurity. Seventy-four inmates died in 2021. For instance, failure to investigate incidents of sexual harassment against inmates evinces grave concerns over their human rights protection. Similarly, there are documented cases of prison guards





The incidents of violence against women is alarming despite of several attempts made by the State and non-governmental organizations for its minimization whether it is in the name of rape or domestic violence. There are no significant decreases in the incidents of mistreatment in witchcraft allegation. In 2021, INSEC documented one woman victim of violation by the state and 3,416 women victims of abuses. The majority of incidents on violence against women were settled in an agreement according to the data from police. Women reconcile with husband and family members despite of being inflicted with torture.



Children cover a large part of the country. The National Census in 2011 shows that 44.4% of population is under 18 years of age. Children are vulnerable to various kinds of exploitation. Children are physically weak than adult and they cannot differentiate between right and wrong. According to the documentation of INSEC, this year 1,522 children were victims of child rights violation of which majority of incidents 1,043were related to rape. While analyzing this, the situation is gruesome. In majority of sensitive incidents related to rape and sexual abuse, boys were found to be involved and such incidents being pending has raised the question mark on justice.

ordering senior inmates to physically attack and torture other inmates that have caused unrest in prisons. There have not been any efforts to redress this issue. These incidents signify the escalating human rights violations in prison.

The body of Ladai Sah (25) of Dewahi Gonahi Municipality-7 of Rautaht was found hanging in the district prison on 17 November 2021. He died in the course of treatment. INSEC and the National Human Rights Commission conducted an onsite visit to study the case. Human rights activists requested the police to conduct further investigations over this suspicious death.

Every person has the right to a dignified life as provisioned by the Constitution of Nepal. All acts and activities by any State institution in contravention of this right is punishable by law. Detaining certain groups of people as a result of undue influence and curtailing the right to a fair trial constitute grave human rights violations. The Constitution protects detainees and prisoners from any acts of torture, inhumane, or degrading treatment. State institutions are grossly violating this provision.

Torture and coercion in custody to force confession, especially perpetuated against the minorities, marginalized, and Dalit communities must immediately end. Four UN special rapporteurs wrote a letter to the Government of Nepal regarding conducting investigations into the deaths in custody that occurred from October 2019 to August 2020, which suggests an exigent need to do so to ensure justice to victims.

COVID- 19 Pandemic and Challenges of Counter Measures

Due to the universally accepted strategy to control and prevent the spread of COVID-19, people's basic human rights, including the freedom of mobility have been restricted. In light of the larger good, the Nepali public quietly accepted the lockdowns and restrictions. The deprivation and inequality faced by the infected people, and discrimination over access to vaccines is a serious human rights concern. Deaths caused by the lack of oxygen supply in the health facilities, unavailability of beds and intensive care services, inability to reach the hospital on time, and scarce ventilators shed light on the many problems in Nepal's health care system.

The biggest hospital in Gandaki Province, Gandaki Provincial hospital of Pokhara, faced an acute shortage of oxygen supply resulting in deaths of infected patients undergoing treatment. On May 27, 2021, six COVID-19 patients and a woman who had just given birth died as the hospital could not manage the oxygen supply. Among the deceased, three were from Tanahun, and one each from Myagdi, Parbat, and Syangja.

The rights to health services, ensured as fundamental human rights by the Universal Declaration of Human Rights, Constitution of Nepal, Public Health Services Act 2075. And the International Convention on Economic, Social, and Cultural Rights failed to be protected in this reporting period. The role of all three levels of governments were inadequate to protect this right of the general public.

Amidst the disparities in accessing vaccines against COVID-19, the Government of Nepal had fully vaccinated 1, 03,84,851 people by December 31, 2021. This accounts for 52.1 percent of the total targeted age group for vaccination, depicting that almost half of the targeted population were deprived of vaccines. In 2021, 5, 67,412 people contracted COVID-19 infection in Nepal and 9,730 lost their lives as per the data shared by the Ministry of Health and Population. As of December 31, 2021, 8,11,958 had recovered from COVID-19.

Unresolved Concerns of Victims in the Transitional Justice Procedure

INSEC's Conflict Victims Profile records 13,248 people were killed and 931 were enforcedly disappeared during Nepal's ten-year long armed conflict. The Nepal Conflict Report 2012, published by the United Nation Office of the High Commissioner for Human Rights OHCHR , states that over 10,000 incidents of human rights and hu-

manitarian law violations took place during the armed conflict. Fifteen years since the end of the armed conflict, the commitments and agreements pursuant to the Comprehensive Peace Agreement (CPA) signed on November 20, 2008 remains to be implemented fully. Similar like previous years, 2021 did not see any progress on addressing issues of conflict victims' justice, reparations, and institutional reforms as stated in the CPA.

The failure of the transitional justice mechanisms to address and redress the grave human rights violations perpetuated during the armed conflict is attributable to the irresponsibility and apathy of political parties in Nepal. It is an embarrassment that the transitional justice process has failed to cultivate the trust of the victims and the national and international human rights community. The order of the Supreme Court of Nepal along with recommendations by the international community to bring perpetrators to justice remains unimplemented. This evidences State's apathy towards administering justice to the victims of the armed conflict.

Amidst the political leadership's indifference towards the transitional justice processes, INSEC's steadfast contribution and advocacy from the documentation resulted in Dailekh District Court convicting four persons, including the main accused Bam Bahadur Khadka, alias Arun to life imprisonment for murdering journalist Dekendra Thapa during the conflict.

Bam Bahadur Khadka , alias Arun of Dullu Municipality- 6 Chhiudipusakot is one of the four main accused, in a total of nine, in journalist Dekendra Thapa's murder. All of the accused were absconding, but his arrest two years ago revived the case against the four main accused .Bam Bahadur had been hiding since the Peace Accord to escape the authorities.

Journalist Thapa, also the then chairperson of Drinking Water Consumer Committee was abducted while going to repair the source supply chain of the drinking water. He was abducted by the then underground CPN Maoist from Narayan Municipality-5 Bhaisekhor on 26 June 2004 and was killed 45 days later on 11 August 2004. Following INSEC's efforts and active participation by the National Human Rights Commission and the Federation of Nepalese Journalists, Thapa's body was located and exhumed in August, 2008. The final rituals were performed on 2 August 2008 with his remains and a complaint was filed by his wife against all nine accused on 28 August 2008.

Five of them were arrested by the police on 4 January 2013 and a case was filed against them. The Court found them guilty of assisting in burying the corpse of the victim. Nirak Bahadur Gharti, Harilal Pun and Jaya Bahadur Shahi were sentenced to two years in prison, Lakshmi Ram Gharti Magar was handed a term of one and a half years, and Bir Bahadur K.C one year.

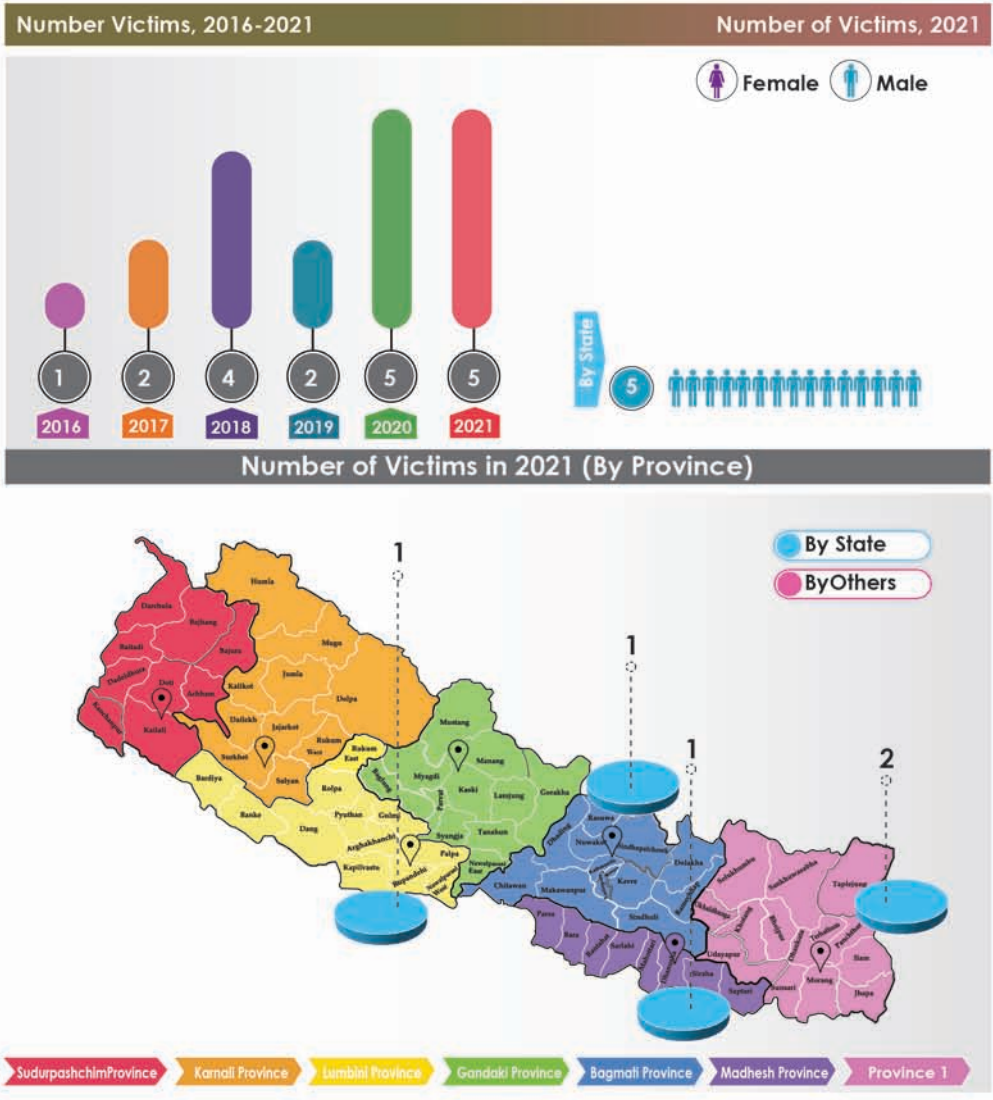
Nirak Gharti Magar had already served one year, seven months, and one day when the Court declared the sentence. He was released after four months and 29 days.

INSEC's human rights monitoring and documentation work contributes references to the judicial processes, creates pressure on stakeholders to shift attention to conflict-era crimes, and sustains the victims' hopes for justice. INSEC has observed the critical need to draw the attention of all stakeholders to address the grave concerns of human rights protections raised by the Yearbook.

Universal Periodic Review (UPR)

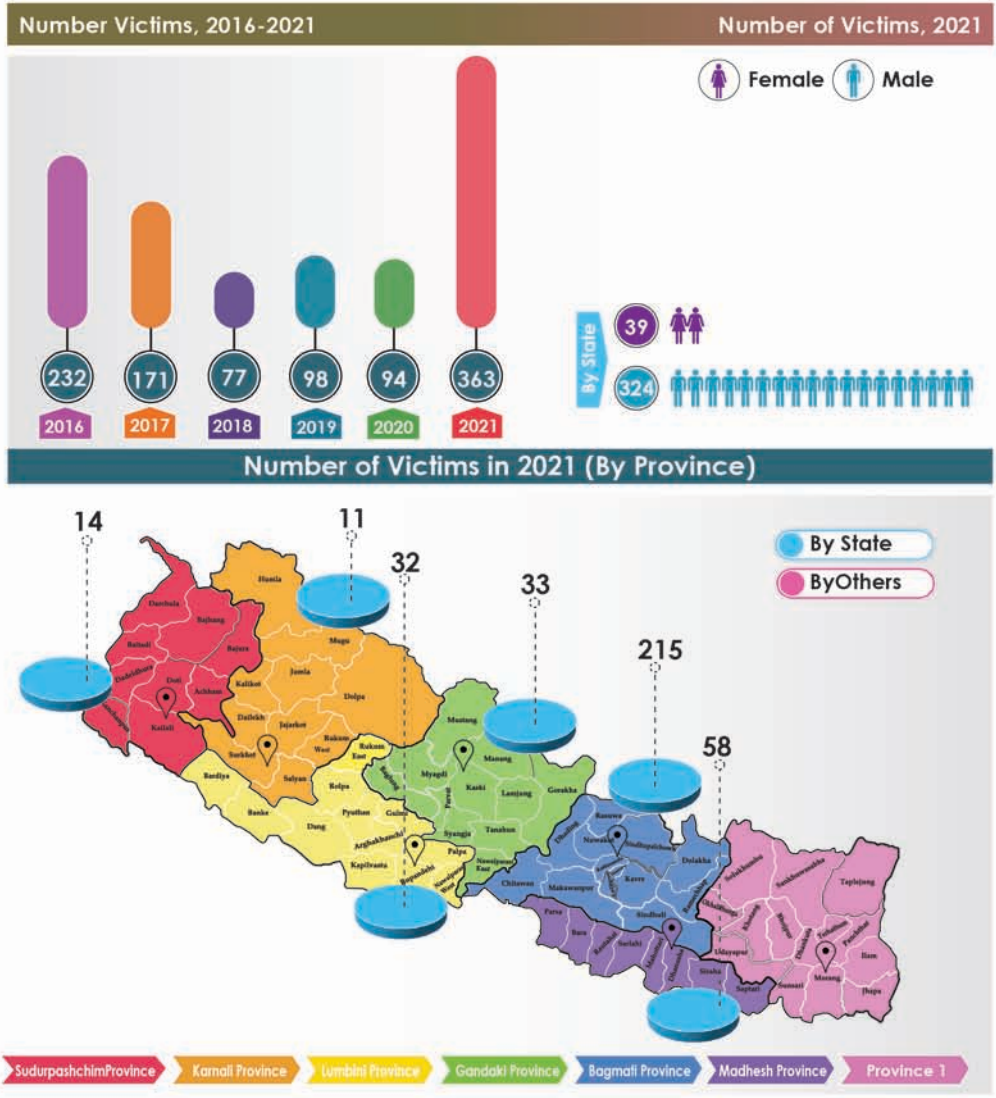
The government of Nepal has accepted 196 out of 233 recommendations received during the third cycle of Universal Periodic Review UPR completed on January 21, 2021. Nepal government noted 37 recommendations citing capacity deficits to implement the recommendations. Twenty-six percent of the recommendations are regarding the peace process, justice and institutional reforms, 18 percent relate to gender equality, 12 percent on economic growth and decent works, eight percent are regarding inequality and reducing discrimination, and seven percent pertain to quality education.

DEATH IN DETENTION



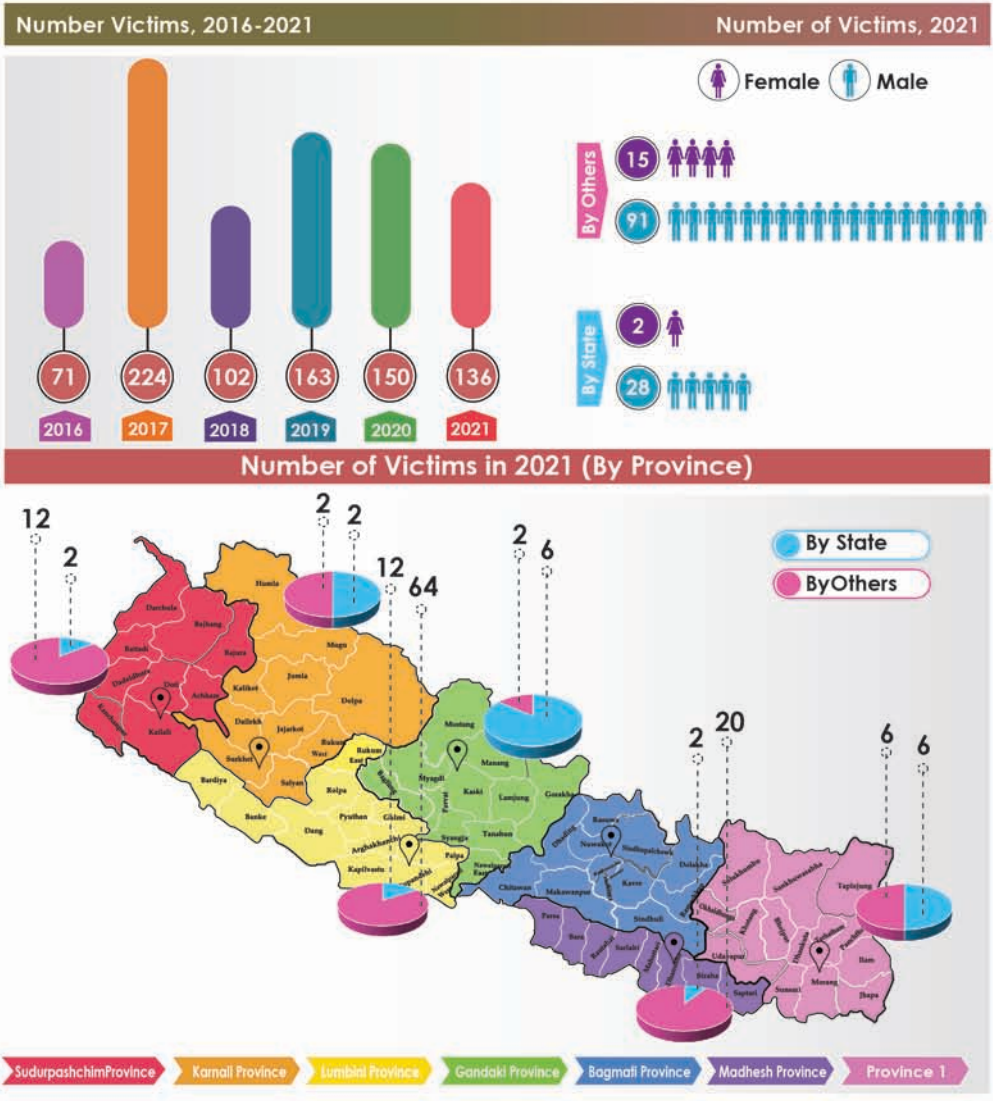
In 2021, Five persons died in custody. No accountability has been ensured in such cases. It is a misery that incidents like this are increasing every year. Therefore, stakeholders should be attentive towards such cases.

RIGHT TO ASSEMBLY



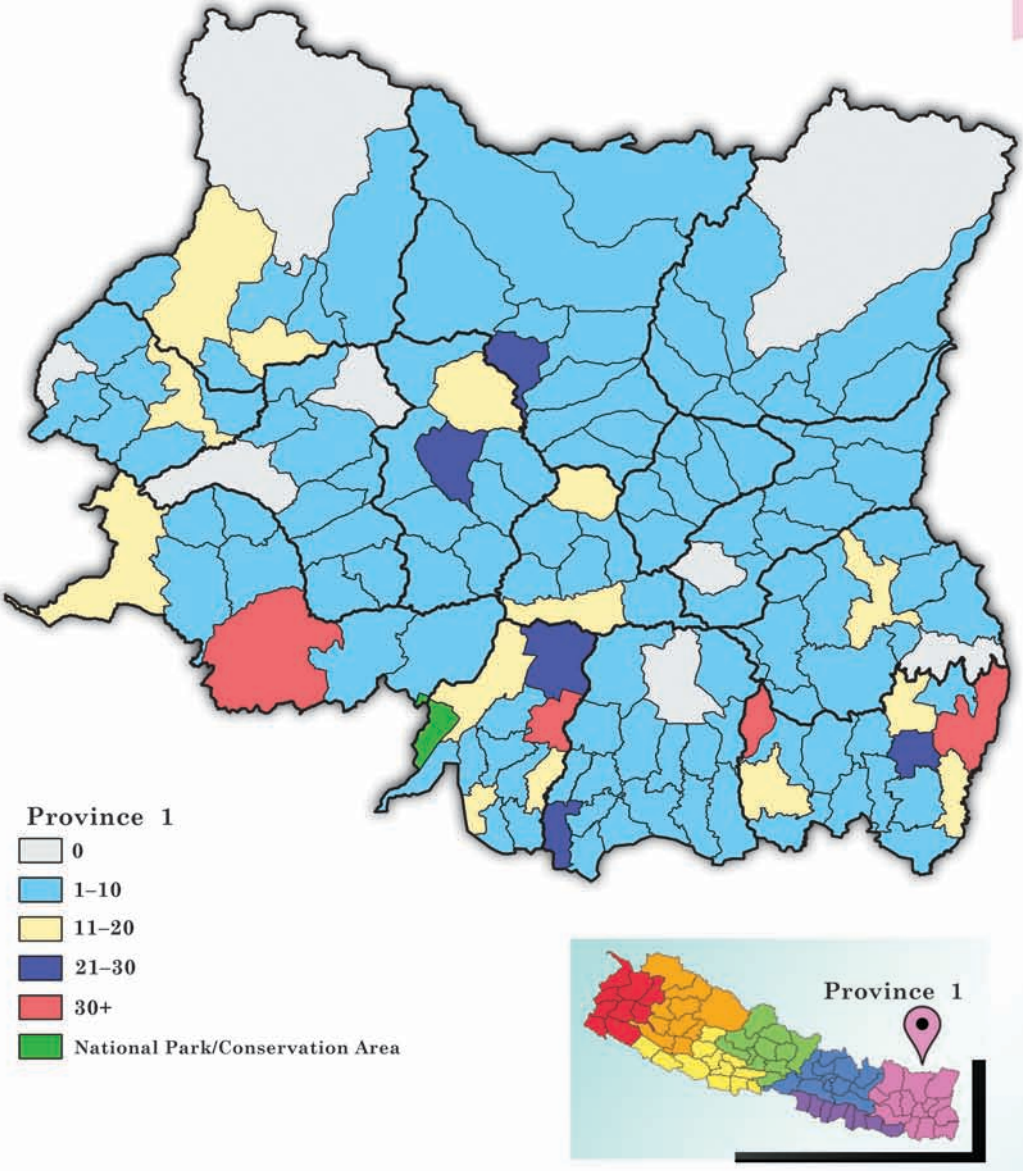
The constitution has ensured right to speech and freedom of assembly. Apart from this, in some places, the government-imposed restriction to organize, sit-in, rally, demonstration and assembly stating that such action has obstructed and violated the right to commute of citizens. INSEC documented 363 victims of deprivation of right to assembly in 2021.

INJURED



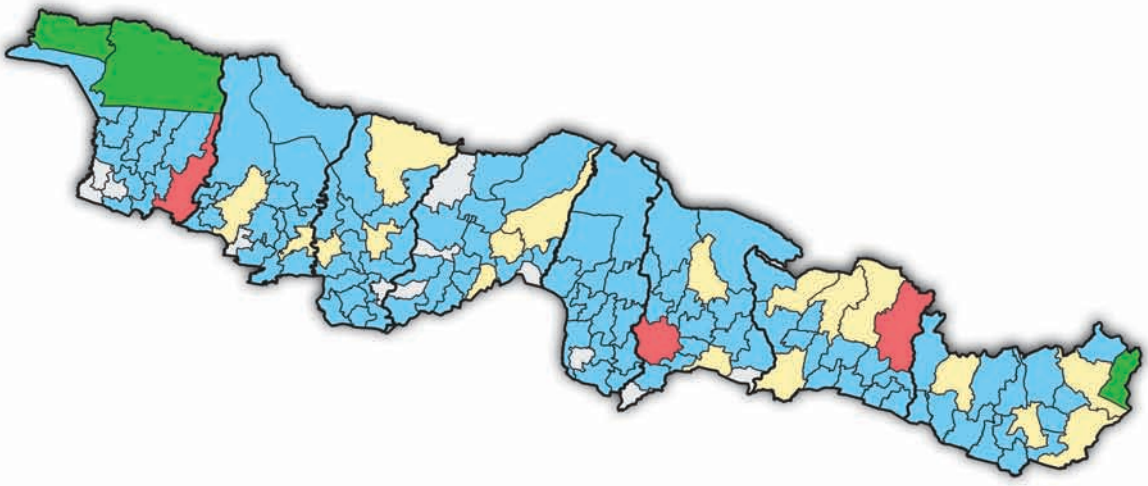
In 2021, 136 people across the nation were injured in the incidents of explosion, firing, clash, and beatings. Two people were injured due to acid attack and Eleven were injured on explosion. The government announced to bear the expenses of the treatment of those injured in clash or in police firing. However; victims complained the process of being very lengthy.

Victims Documented in the Local Governments of Province 1 in 2021



This year, no cases of human rights violation and abuse were documented in eight Local levels out of the 137 in Province 1. INSEC documented the highest number of victims (36) in Itahari Sub-Metropolitan city. Furthermore, there were one to 10 victims in 105 Local levels, 11 to 20 victims in 14 local levels, 21 to 29 victims in six local levels, and more than 30 victims in four local levels. There were 30 victims (2 female and 28 male) of Human Rights violations and 889 victims (819 female and 70 male) of abuses documented by INSEC in 2021.

Victims Documented in the Local Governments of Madhesh Province in 2021

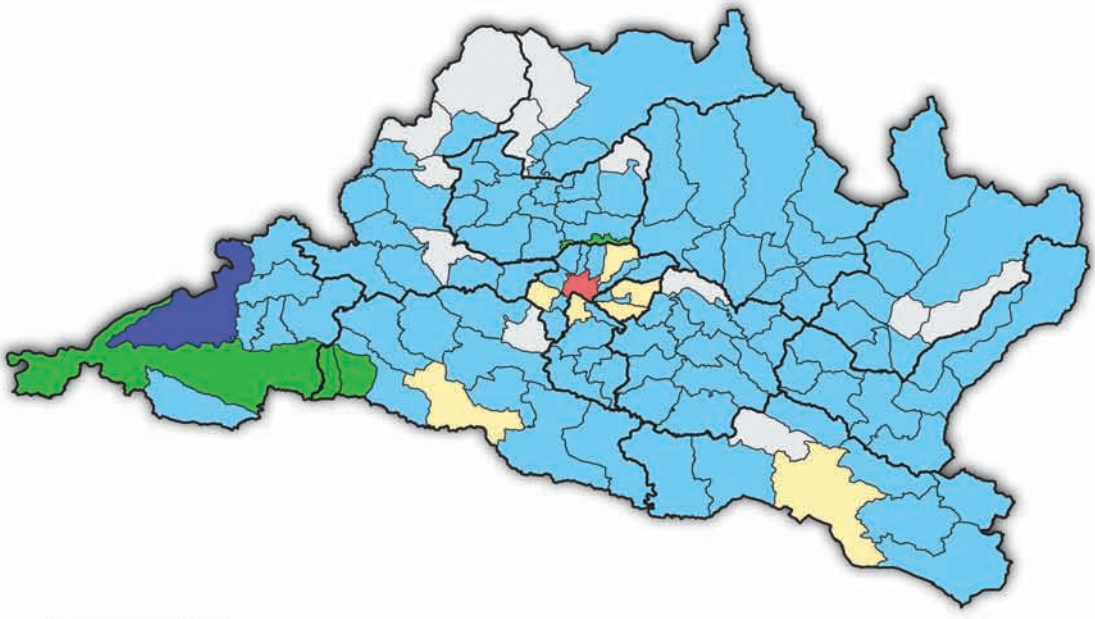


Madhesh Province

- 0
- 1–10
- 11–20
- 21–30
- 30+
- National Park/Conservation Area

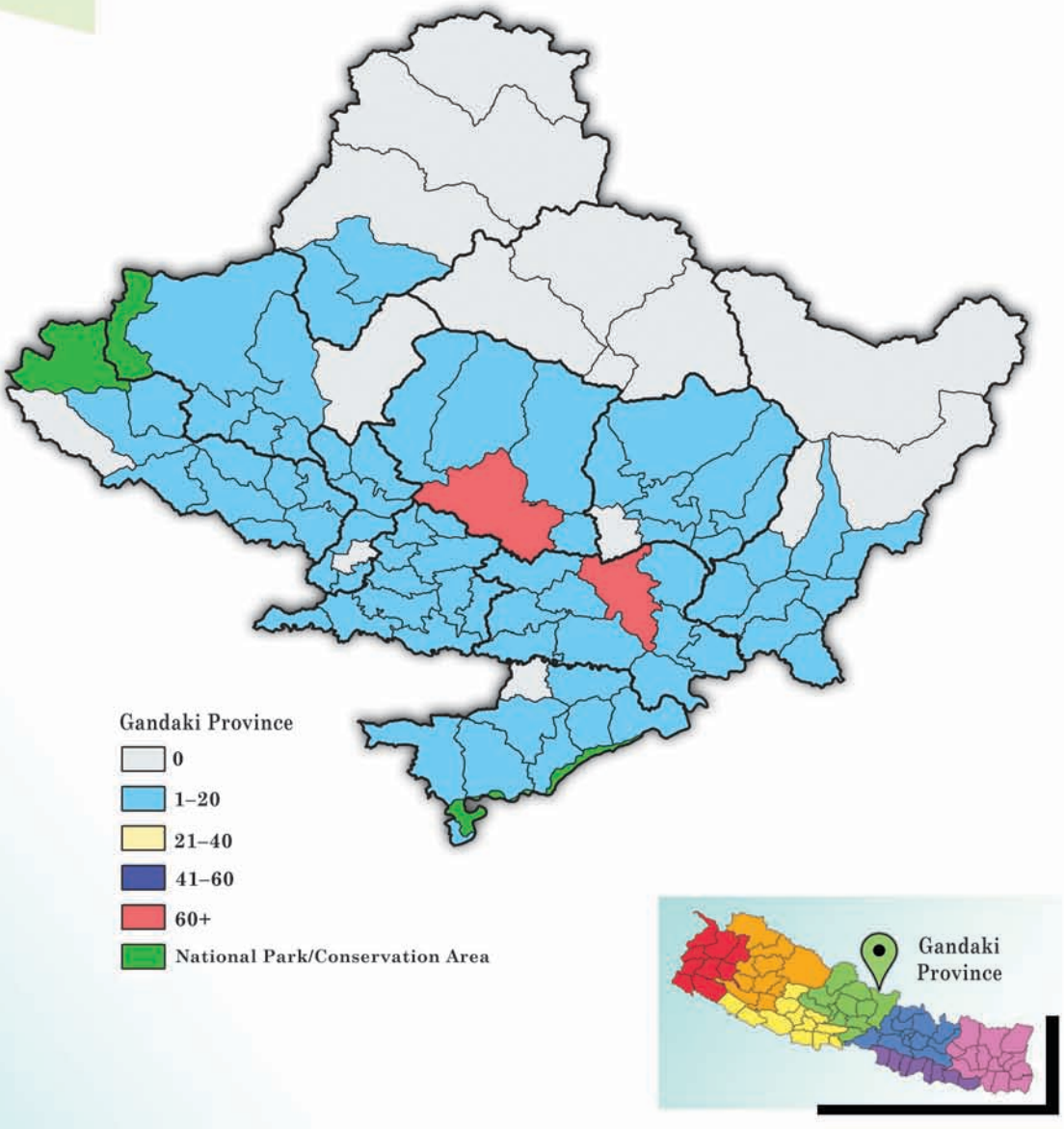
This year, no cases of human rights violation and abuse were documented in 14 Local levels out of the 136 in Madesh Province. INSEC documented the highest number of victims (52) in Birgunj Mertopolitan city. Furthermore, there were one to 20 victims in 119 Local levels, 21 to 40 victims in one local level, 41 to 60 victims in two local levels, and more than 60 victims in four local levels. There were 86 victims (seven female and 79 male) of Human Rights violations and 672 victims (508 female and 164 male) of abuses documented by INSEC in 2021.

Victims Documented in the Local Governments of Bagmati Province in 2021



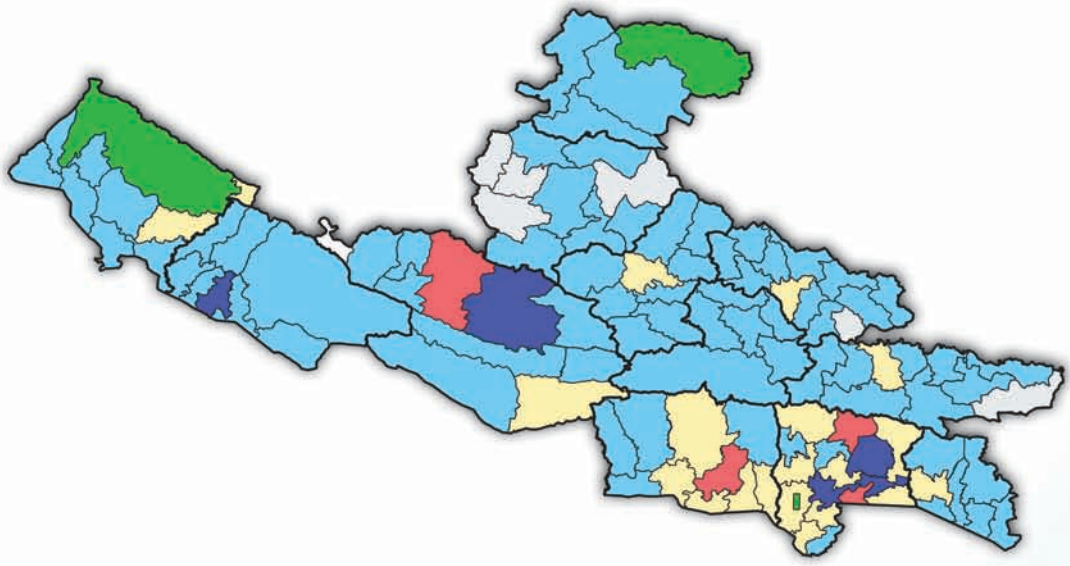
This year, no cases of human rights violation and abuse were documented in 14 Local levels out of the 119 in Bagmati province. INSEC documented the highest number of victims (417) in Kathmandu Metropolitan City. Furthermore, there were one to 20 victims in 96 Local levels, 21 to 40 victims in seven local levels, 41 to 60 victims in one local level, and more than 60 victims one in local level. There were 283 victims (34 female and 249 male) of Human Rights violations and 890 victims (842 female and 48 male) of abuses documented by INSEC in 2021.

Victims Documented in the Local Governments of Gandaki Province in 2021



This year, no cases of human rights violation and abuse were documented in 15 Local levels out of the 85 in Gandaki province. INSEC documented the highest number of victims (91) in Pokhara Metropolitan City. Furthermore, there were one to 20 victims in 68 Local levels and more than 60 victims in two local levels. There were 49 victims (one female and 48 male) of Human Rights violations and 464 victims (434 female and 30 male) of abuses documented by INSEC in 2021.

Victims Documented in the Local Governments of Lumbini Province in 2021

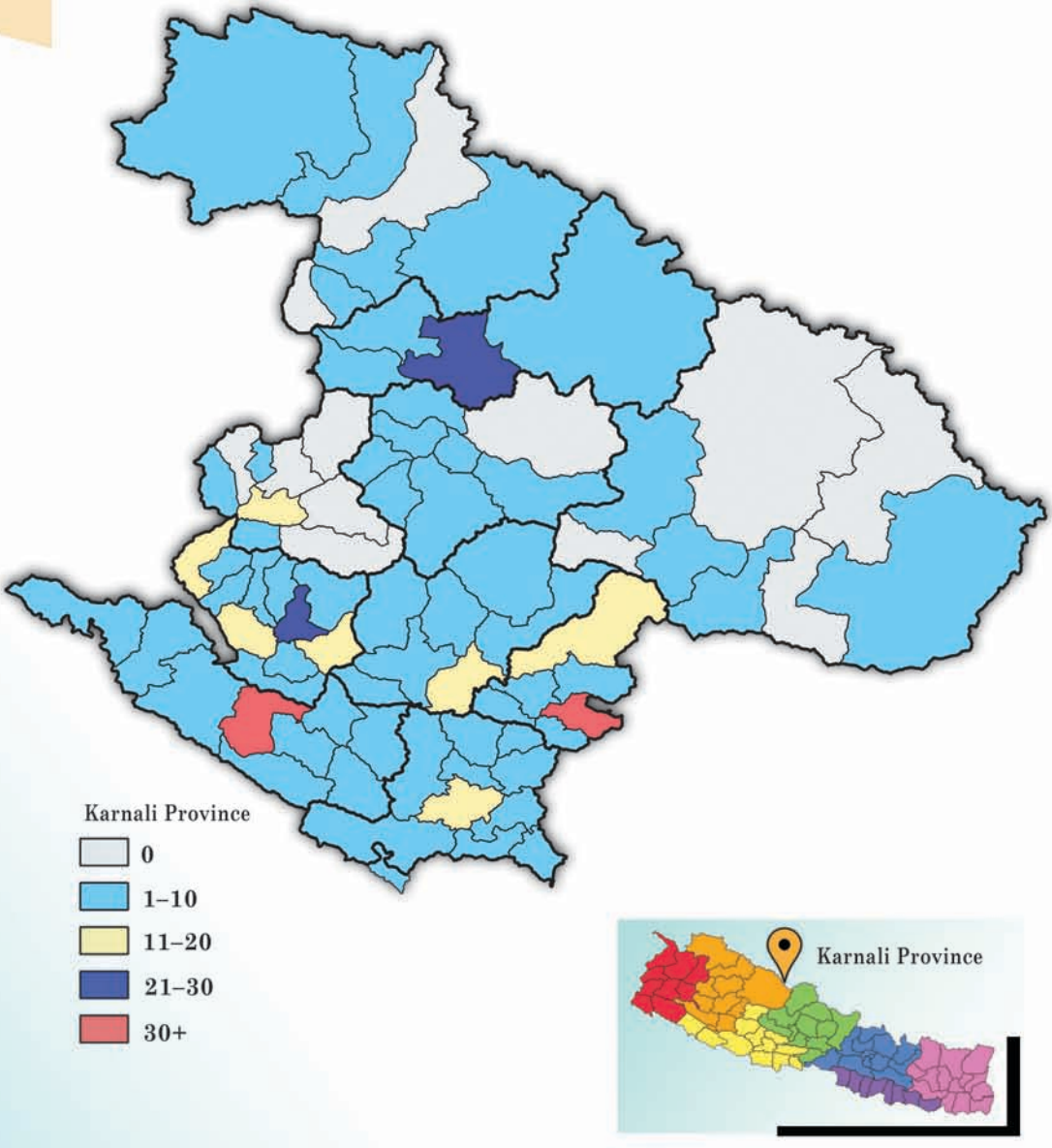


Lumbini Province

- 0
- 1–20
- 21–40
- 41–60
- 60+
- National Park/Conservation Area

This year, no cases of human rights violation and abuse were documented in six Local levels out of the 109 in Lumbini province. INSEC documented the highest number of victims (204) in Butwal Sub-Metropolitan City. Furthermore, there were one to 20 victims in 76 Local levels, 21 to 40 victims in 18 local level, 41 to 60 victims in four local levels, and more than 60 victims five in local levels. There were 59 victims (two female and 57 male) of Human Rights violations and 1727 victims (1613 female and 114 male) of abuses documented by INSEC in 2021.

Victims Documented in the Local Governments of Karnali Province in 2021



This year, no cases of human rights violation and abuse were documented in 11 Local levels out of the 79 in Karnali province. INSEC documented the highest number of victims (35) in Birendranagar municipality. Furthermore, there were one to 10 victims in 55 Local levels, 11 to 20 victims in seven local level, 21 to 29 victims in two local levels, and more than 30 victims in two local level. There were 34 victims (four female and 30 male) of Human Rights violations and 396 victims (320 female and 76 male) of abuses documented by INSEC in 2021.

NGO Coalition for UPR submitted civil society reports during the UPRs in 2011, 2015, and 2021. The Coalition has 440 member organizations. On behalf of the Coalition, INSEC has continuously advocated for the implementation of the accepted recommendations along with improving the domestic systems and policies to work towards the recommendations yet to be accepted.

The recommendations on the report by the Coalition were informed by the overall human rights situation in Nepal, including that of women, children, *Dalits*, *Adivasi Janajati*, *Madhesh* communities, Muslims, and other marginalized communities, gender minorities, and *Haruwa-Charuwa*. The report highlighted the situation of the national human rights institution, human rights defenders, incidents of extrajudicial killings, arbitrary arrests, and the state of transitional justice. Since the first review, Nepal has accepted the recommendations on transitional justice but has fell short of implementing them.

Fifth National Human Rights Working Plan

To implement various UN treaties and conventions, the UN instituted different contextual and rights-based mechanisms. The United Nations World Conference on Human Rights in Vienna, Austria, held in 1993 called on UN Member States to formulate and implement the National Human Rights Action Plan. This precipitated the adoption of the first National Human Rights Action Plan in 2005/2006. The principal objective of the Plan is to make maximum utilization of the country's resources to promote, protect, and effectively enforce human rights in Nepal. The Fifth National Human Rights Action Plan prepared for the period 2020-2021 to 2030-2031 encompasses a wide spectrum of issues: education, health, nutrition and population, labor and employment, culture, legal and justice administration, environment and sustainable development, women, disability, senior citizens, rights of gender minorities and marginalized groups, food security, transitional justice and conflict victims, human rights education, inclusive development, children, housing, and social services and security. It incorporates human rights concerns of detention, issues of jail reform, and institutional strengthening of human rights organizations, including by ensuring their autonomy.

Issues of Human Rights Defenders

Human rights defenders, especially journalists, are at risk for their professional work in Nepal. In 2021, out of the recorded 200 incidents of human rights abuses against human rights defenders, 32 were of journalists. While the majority of complaints are registered against the accused, most of them are reconciled informally the fundamental rights of the common people are taken as the rights of human rights defenders in Nepal because the country does not have a separate human rights defenders law and mechanism to respond to the specific protections of human rights defenders.

The Constitution of Nepal, Civil Rights Act, Government Case Act, Law Practitioners Council Act, Social Welfare Council Act, Organization Registration Act, Trade Union Act, Labor Union Act, and other laws of Nepal guarantee the rights of human rights defenders. The National Human Rights Commission's Guidelines on Human Rights Defenders, 2069 and laws on National Human Rights Commission and other human rights institutions can be leveraged to protect the rights of human rights defenders. Similarly, laws and guidelines related to various professions are also useful for the protection of human rights defenders in various professions.

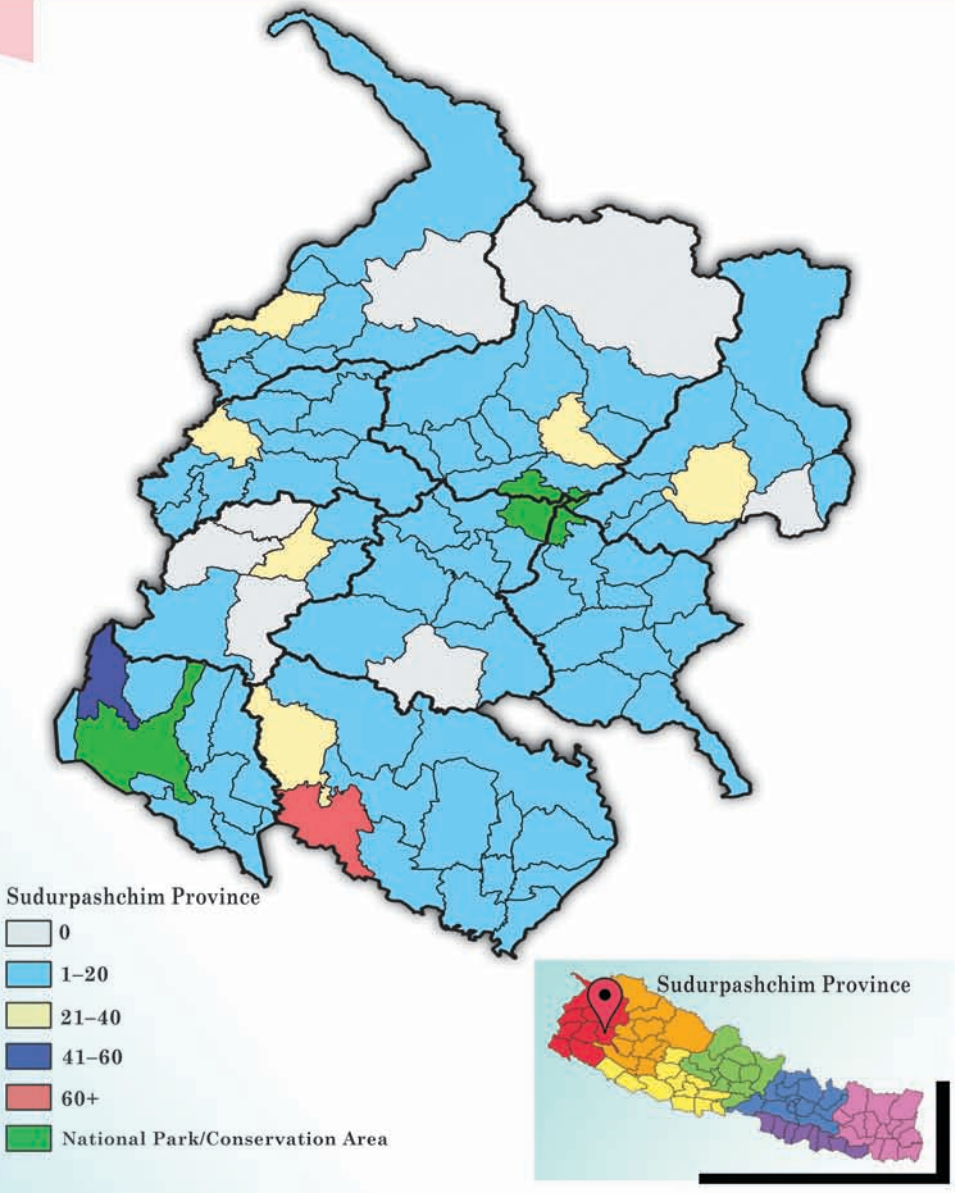
State and Human Rights

Judiciary

The second wave of the COVID-19 pandemic gripped the world since the beginning of 2021. Millions of people have died since then. The prohibition orders hindered Court operations prompting the Supreme Court to pass a special order limiting the Court's work on cases of habeas corpus, petitions on juvenile correctional facility, and execution of arrest warrants.

The Supreme Court and the High Courts issued various directives and rulings

Victims Documented in the Local Governments of Sudurpashchim Province in 2021



This year, no cases of human rights violation and abuse were documented in eight Local levels out of the 88 in Sudurpashchim province. INSEC documented the highest number of victims (156) in Dhangadhi Sub-Metropolitan City. Furthermore, there were one to 20 victims in 72 Local levels, 21 to 40 victims in six local level, 41 to 60 victims in one local level, and more than 60 victims in one local level. There were 21 victims (two female and 19 male) of Human Rights violations and 685 victims (627 female and 58 male) of abuses documented by INSEC in 2021.

regarding the right to health, free health check-ups, universal access to vaccines, and timely payment of COVID-19 insurance. The full bench of the Supreme Court also authorized 'virtual' hearings, introducing new technology in the court system to protect fundamental rights and give continuity to other important services. This year, the Supreme Court passed landmark decisions and orders: it restored the dissolved parliament and passed a mandamus to appoint a new prime minister within a fixed time. This did invite criticisms against the Court for judicial overreach.

Executive

The Government of Nepal, as the Executive, is the key actor to redress human rights concerns and ensure implementation of fundamental human rights. The federal, provincial, and local governments have a constitutional responsibility to protect, promote, and ensure the rights of the citizens. The government can recommend to the legislature to institute new laws or amend existing ones, alongside guaranteeing full implementation of the prevailing laws to improve the human rights situation in the country. The Executive is responsible to implement and oversee the implementation of the Universal Declaration of Human Rights and other human rights conventions and treaties, as well as present the human rights status of the country on international platforms.

Legislature

Conflict within and among political parties since the beginning of 2021 impacted the Federal Parliament's operations. Matters raised in the parliament were not afforded importance and therefore, not addressed. The act of issuing ordinances superseded the due process of promulgating laws. Bills under consideration for a long time remained shelved. Issues regarding minimum quorum in the parliament, the constituency development fund, and prolonged disturbances in parliamentary affairs became contentious topics for discussion. The legitimacy of the directives and decisions made by the parliamentary committees was questioned because of authorities' tendency to disregard them. The Parliament which was elected for a five-year term was dissolved twice in 2021, resonating the time when the Parliament was fraught with partition politics since the restoration of democracy in 1990.

Human Rights Violations and Abuse in 2021: Facts and Statistics

INSEC documented 6285 victims of human rights violations and abuse in 2021 as opposed to 5,543 in 2020. This year, 562 persons (52 women and 510 men) were victims of human rights violations and 5,723 (5163 women and 560 men) of human rights abuse.

Six persons were killed by the State apparatus and three were tortured. The records document 35 victims of arrest-related incidents, 28 victims of caste-based discrimination, 24 victims of inhumane behavior, 363 victims whose rights to assembly and association were violated, 36 victims who were threatened, and 266 victims of beating.

All Kinds of Violence against Women

In 2021, 3,417 women were victims of Women Rights Violation. This number comprised 16 cases of attempted trafficking and 42 trafficked victims, 2095 victims of domestic violence, 31 victims accused of witchcraft allegation, 649 victims of rape, 177 victims of attempt to rape, and 61 victims of sexual abuse.

This year, there were 112 women were killed by family members as compared to 102 last year. Six women were killed for not bringing enough dowry and 10 women faced violence for the same issue.

Child Rights

In 2021, rights of 1,522 children were violated. This constitutes 1,043 victims of rape, 383 victims of sexual abuse, and 15 children physically punished at schools. Children, the future of the society, are currently being exploited. They are victimized through child labor, child trafficking, sexual violence, deprivation of education and health opportunities, and corporal punishment. Most of the schools' infrastructure are

not child-friendly. They lack separate toilets for girls and a very minimal number have disability-friendly structures. Free education as provided by law was not implemented in practice. Community schools were found to be charging fees. (*Please see the book's district-wise details on right to education).* Additionally, children are subjected to various forms of violence from different quarters, *(Please see the Table).*

Conclusion

The government announced the completion of post-earthquake reconstruction work this year. The Federal and Local Governments declared lockdowns for prevention and control of the COVID-19 pandemic. The lockdowns were not supplemented by other measures, which diluted their effectiveness to control the virus. The constitutional right to access health services could not be implemented effectively. On one hand, infected persons could not be admitted in the hospitals while on the other, patients could not reach the hospitals easily. Private hospitals continued to charge exorbitant fees to the patients without any consequences.

More than 100 people lost their lives due to the unseasonal floods and landslides in October this year. The government's laggard response in rescue, relief, and rehabilitation of disaster victims was evident this year as well. The committees formed at the local level to respond to such disasters could not function owing to resource and capacity deficits. The right to education was violated as schools failed to shift to alternative modes of learning during the lockdowns. The government enforce effective measures to reduce the digital divide and enhance the efficiency of online education in Nepal.

The government is responsible for the protection, promotion, and fulfillment of human rights. It has the obligation to end impunity and ensure the rule of law. However, justice for victims of grave human rights violations remains elusive which evokes serious questions on government's accountability towards the people.

Although there has been a significant decrease in the number of human rights violations by the State, the number of abuses and atrocities by other parties have alarmingly increased. While the State has adopted a zero-tolerance policy towards violence against women, such incidents continue to fester unabated, and in many forms, as a result of poor awareness and ineffective implementation of existing laws. Investigations and accountability for incidents of torture and alleged suicide in police custody is completely absent.

Recommendations

- Laws regarding domestic violence to be amended and the government must be the plaintiff in such cases.
- Prompt and speedy trial of cases of violence against women.
- Ensure the implementation of the recommendations from the Universal Periodic Review.
- Formulate a special mechanism to monitor the implementation of the accepted recommendations received through the Universal Periodic Review.
- Facilitate legal proceeding in cases of serious human rights violations to end impunity.
- Take effective stes to end incidents of torture in custody.
- Ensure effective measures to improve the conditions in prison to protect the rights of the inmates.
- Promote better collaboration amongst the government, civil society, and the international community for strengthening campaigns through education, mass communication, and cultural exposure for promoting human rights awareness.

Bijay Raj Gautam
Executive Director

Let's Ask: Where are they?

The history of Enforced Disappearance of people in Nepal dates back to more than seven decades. The citizens suffered from such violence of their rights utmost in a particular epoch of time and slightly less in some period. The practice of Enforced disappearance of citizens was adopted allegedly after the emergence of the armed conflict in 1996. During the period of armed conflict, the state reportedly proceeded with the practice of Enforced disappearance of citizens. Such actions were encouraged by the culture of impunity. The practice of the state mechanism remaining entirely silent on the heinous events of violation of human rights is prevailing to the date because of the status quo of impunity.

On the other hand, the then NCP (Maoist) also remained on the frontline in committing the act of kidnapping and Enforced disappearance of the people. Both parties involved in conflict adopted the abduction action and Enforced disappearance in violation of human rights as their war strategy. The armed conflict was formally ended after the Comprehensive Peace Accord concluded between the Government and the NCP (Maoist) on November 21, 2006. Still, the families of victims hopefully waiting for the implementation of the commitment to make public the status of enforcedly disappeared people within 60 days subject to the Peace Accord. The Conflict Victim's Profile published by INSEC consists of the updated details of 9 hundred 31 people being enforcedly disappeared by the state and the then revolting party. The state and the political parties are failing in their performance to find out their status even after 15 years of the Peace Accord.

INSEC has continued to publish the details of monitoring reports of violations of human rights and the abuse every year in the Nepal Human Rights Year Book since 1992. It has continued its affairs during the armed conflict and the emergency period. Conflict Victims Profile of INSEC has contributed to mitigate the risks of not maintaining a detailed recording of such events that occurred during that epoch of time.

The subject matter of serious violation of human rights and abuses during the ten years-long armed conflicts and those that occurred in the subsequent days are being concern of the national and international level human rights communities till the date. During that period, many events of the abuses and violation of human rights could not be made public immediately due to the pressure and threat of both parties involved in the conflict. The threatened victims and their families were not able to inform such events. INSEC had made a detailed study of some events related to the armed conflict and those that happened afterwards. The details of some events based on the facts obtained from the study and on site monitoring are included herein. The only reason for the publication of the details now is to inform the matter regarding the nature of crimes committed in the past. If we forget the past, the present and future cannot be made better. It is the state's liability to ascertain the matter of non-repetition of such mistakes in the future by learning lessons from the past. INSEC

asks the question of accountability to the then conflicting parties, political leaders, transitional justice mechanisms, and stakeholders with the aim of identifying the disappeared persons' whereabouts. Let's collaborate for the justice of the victims and ask: where are they?

Carriers of the Injured Never Returned

Thagga Tharu

Kalaram Tharu

Bandhuram Tharu

Baburam Tharu

Kaliram Tharu

A team of Royal Nepalese Army from Rammapur dragged out 33 years old Thagga Tharu, a resident of Madaha under Ward number 4 of Bansgadhi Municipality, Bardiya District, from his house in the night on October 2, 2002, and battered him in his compound along with 2 round gunshot. The gunshot victim fell down on the compound, and the team loaded wounded Thagga Tharu on a bedstead furnished in the same compound, ordered his younger brother Kalaram, neighbors 41 years old Baandhuram Tharu, 27 years old Baburam Tharu, and villager 27 years old Kaliram Tharu to carry the loaded bedstead and took to the Army Camp. The situation of injured Thagga Tharu, his younger brother Kalaram, neighbors 41 years old Bandhuram Tharu, 27 years old Baburam Tharu, and 27 years old Kaliram Tharu is still unknown.

Thagga Tharu of Madaha, having returned home after five days of the event, had told the suffered families the matter of remaining other suffered persons also in the Chisapani Barrack. He was ordered to be present every day. When he visited the Barrack on the prescribed date, Baburam Tharu, a captive in the Army Barracks, had requested him to bring his clothes from home. The suffered families said that when they went to the Barrack to deliver him the clothes and food, the Army had not allowed them to stay there even for a second and threatened by pulling a gun on their chest stating that Baburam Tharu was not arrested.

Irresponsible Security Personal

Bihari Godiya

Bihari Godiya, 50 of Narainapur Rural Municipality-6, was arrested by the security personnel from Dondra Joint Security Base Camp Sonbarsha of Gangapur in 2003 November 8. On a same day, his son Ayodhya Prasad Godiya, 20 was arrested on charge of being Maoist. On November 13, the victim's mother took the clothes of the victims in a basecamp in Sonbarsha and said that victims are kept in a camp. But the family were were never allowed to meet. After few days, their whereabouts were never made public.

Ayodhya P. Godiya

Light of Hope Still Alive

Ganesh B. Choudhary

Janak B. Tharu

Ganesh Bahadur Chaudhary, 20 of Geruwa Rural Municipality, Ganeshpur, Bardiya and his brother Janak Bahadur Tharu were handcuffed and arrested from their house by the team of Nepal army from Thakurdwara in 2002, March 7. The victims were severely beaten prior to the arrest in suspicion of being Maoist. Prior to their arrest, three policemen with mask had already came to their house. The victim's family said that they locked all the family members in the house and threatened to kill all if they make any noise. After the disappearance of sons for a long time, mother Ramwati died due to sorrow. The victim's elderly father is still hoping that his sons will return back.

They Never Returned Back

Prem B. Tharu

Uttam Tharu

A band of Maoist cadres had held 22 years old Prem Bahadur Tharu, a resident of Kakaura under Ward No. 8 of Bansgadhi Municipality, Bardiya District, and 23 years old Uttam Tharu from Motipur Village Development Committee Ward No. 7 under custody from home in the night on March 17, 2004, and enforcedly disappeared them. According to the eyewitness, four persons, including Prem Bahadur Tharu and Uttam Tharu, were kept in a personal house at Deudhakala. They were taken to the local Kunaithi forest in the same night by boarding on a tractor, and the tractor was returned empty. The situation of the suffered persons is unknown after that event.

Captured while Drinking Water and Disappeared

Dataram Timalsina

Dataram Timalsina, 33, was arrested by a joint security force of Nepal Army and police from the District Police Office, Morang, while drinking water in a house of Biratnagar Sub-metropolitan city – 5 on September 27, 2003. Mr. Timalsina was central committee vice-chairperson of All Nepal Cultural Association, sister organization of the Communist Party of Nepal Maoist. The locals witnessed that the security personnel tied his hands with rope and took him towards Biratnagar Airport. No information was received regarding Mr. Timalsina after his visibility at the Eastern Command Headquarter of Nepal Army.

Extreme of Inhumanity

Rupa Sapkota

Rupa Sapkota, 37 of Dumariya of Rautahat District and her 17 years old daughter Menuka Kumari Sapkota were arrested from their house by the civilian dressed police came from District Police Office by motorbikes in 2002 September 2. Mother Rupa Sapkota was in a house to look after her pregnant daughter. After the incident. The victim's family contacted the police office however the police denied of the arrest.

Menuka K. Sapkota

Family Never Knew the Truth

Pradeshini Tharu

Sushila Chaudhary

Kalapati Tharu

Pradeshini Tharu, 16 of Thakurbaba Municipality-1, Bardiya, 18 years old Sushila Chaudhary, Kalapati Tharu,18 were arrested from their house by a team of the then Royal Nepal Army from Thakurdwara Barrack in 2002 June 8. Their clothes were found scattered near the river in the jungle with a suspicion to the family that they might have been gang raped. The victim's family could not search for their loved once due to the fear and their whereabouts remains unknown.

Where are the 49 other disappeared together with Tamang

Buddhi B. Tamang

Buddhi Bahadur Tamang of Kavre Madankundari was disappeared from 2003 November 29. The office of the United Nations Human Rights Commission, Kathmandu in its report on arbitrary detention, torture, and disappearance said that three of the former detainees at Nepal Army Barrack in Maharajgunj had given the similar statement that Buddhi Lama was severely tortured. He was arrested from Dukuchhap VDC in Lalitpur and as per the eye witness, he could not even sleep due to the severe torture inflicted in a barrack. The whereabouts of disappeared Buddhi Tamang along with other 49 from the Bhairabnath Battalion still remains unknown.

2.1 State and Human Rights

Chapter 2

Judiciary

Photo: Ramesh Prasad Timalsina

1. Background

Judiciary is the last resort, not just for the assurance of the fundamental rights of the citizens, but also for the protection of their rights from impending restrictions and violations.[1] The Constitution of Nepal (2015) has envisioned the formation of an impartial and competent judiciary. Independent and competent judiciary is the primary foundation of democracy. Judiciary is taken as a reflector of transparency, accountability, stability, discipline, and dutifulness to ascertain justice in a democracy.

This year, the matters like the commencement of the practice of lottery system, protest of the Supreme Court's judges along with Nepal Bar Association against the role of the Chief Justice, Report of Court Reformation Commission convened by the Honorable Justice, Hari-Krishna Karki, obstruction of Supreme Court for 37 days, reinstatement of the dissolved House of Representatives twice and court order to appoint the Prime Minister remained under discussion.

Judiciary has remained as a patron in the formation of governance based on the rule of law through the enjoyment of fundamental rights, constitutional rights, other legal rights, and human rights. The Constitution of Nepal has envisioned the judiciary as a guardian of rights of citizens in a democratic system based on the assurance of independent and competent judiciary, rule of law, fundamental rights, and legal rights along with protection of human rights ensuring fair and clean justice system. The establishment of an independent and competent judiciary could assist in evaluating the extent to which the rights of citizens have been assured.[2]

The Supreme Court has been outlined as an apex court (the court of record) in the constitution of Nepal. At present, there are seven High Courts including nine Benches and two temporary Benches, and 77 District Courts with one Court in each district of Nepal. Furthermore, other judicial bodies and tribunals, like Special Court, Administrative Court, Labour Court, Debt Recovery Tribunal, Revenue Tribunal, and Foreign Employment Tribunal[3] are also being involved in the delivery of Justice.

In addition to the three tiers of the Courts, based on the need, there is a provision of constitutional Judicial Committee at the local level to hear and settle the cases.[4] Among the three tiers of an elected body of the federal system, there is a provision of constituting a local Judicial Committee chaired by the Deputy Mayor in the Municipality and by the Vice Chairperson in the Rural Municipality.

2. Limitation of Reference Materials

The *Nepal Kanoon Patrika (NKP)* is supposed to be published by the Supreme Court but this year it was not regular since the judgments included in the respective issues were published up to September 2019 and they belonged to the period of the previous year (not to be covered in this article); they could not be included in the reference materials. The notable judgments of the Supermen Court to the extent of availability were taken from the website of Supreme Court, e-copy, and publications of the National Dailies, INSEC online, along with other publications and online sources.

An effort has been made to review the decisions, orders, and judgments of the Judiciary and other judicial agencies made under the Constitution, international law, prevailing law, and the accepted principles of law during the period of the year 2021.

1. INSEC Nepal Human Rights Year Book 2018, p 26, Chapter 1
2. INSEC Nepal Human Rights Year Book 2018, p 26, Chapter 1
3. https:/Unicode.arthasarokar.com
4. Constitution of Nepal, sub-article (2) of Article 127

3. Effect of COVID-19 (Coronavirus) on Judicial Process

Many people in Nepal lost their lives in the second wave of COVID-19 from the beginning of the year. Like every other country, Nepal also was affected by COVID-19 this year, as the previous year. The fundamental rights of people, like freedom of movement, right to food, and right to health, were primarily affected by the pandemic. In this context, the Supreme Court and the High Courts had issued different orders to protect the rights of the citizens. Despite its inability of hearing the regular cases on the cause list, the court ensured regular hearings on the writ of habeas corpus, applications of the child rehabilitation centre, permission, and warrant approval.

4. Notices and Orders Addressing COVID-19 Issued by the Court during Prohibitory Order

The Supreme Court, High Courts, and District Courts, despite their failure to accomplish the regular function during the period of full or partial lockdown declared by the Government of Nepal to control the transmission of corona from April 28, 2020, to July 15, 2020, the essential notices on public concern were issued by the court during that period.

4.1. Decision to Hear the Essential Cases only

The Supreme Court issued a notice[5] on April 27, 2021, stating that only the writ petitions relating to habeas corpus and COVID-19 pandemic shall be registered and heard from April 28 to May 13 and that the cases occurred during the period of postponement of service, the time limit of writ petitions, the date for presence shall not be expired. Likewise, a decision was made on May 14, 2021, by the Full bench to give continuity to the cases relating to constitutional interpretation, sensitive issues relating to fundamental rights, cases relating to the issue of public concern, writs under the jurisdiction of the Supreme Court[6] and registration of hearing of writ petitions of emergency in nature under the jurisdiction of Constitutional Bench[7].

4.2. Use of Virtual Medium in Hearing Process

The full bench of the Supreme Court held on May 14, 2021, gave recognition to the virtual medium and recommended the administration to make necessary arrangements for the operation of the bench and hearing of the cases virtually, in order to minimize the risk of transmission of coronavirus.[8]

The Supreme Court also issued a Directory[9] stating that it was desirable to prescribe necessary processes regarding the use and operation of audio-visual conversation to accomplish justice quickly in a practical and accessible manner.

The District Court, Kavrepalanchok, having implemented the said Directory, also issued a court order by arranging of bail pleading by virtual medium on May 13, 2021. As it was a problem to make pleadings in physical presence due to COVID-19; and as it was also an opportunity to use the technology; the court order was issued by making bail pleadings through the virtual medium in a rape case in which the Assistant District Advocate and a pleader on behalf of the defendant had pleaded through virtuall medium. The pleading of bail hearing was also made in a case of an attempt to murder in which a judgment was made to hold

5. Press Release of the Supreme Court issued on April 14, 2021
6. Constitution of Nepal, Article 133
7. Constitution of Nepal, Article 137
8. Press Release of the Supreme Court issued on April 14, 2021
9. Directory Relating to Operation of Hearing through Audio-Visual Dialogue (video conference) at the court, 2021

one person among the defendants in detention and release two persons on bail[10].

4.3. Regarding Restriction to Levy Heavy Charges for Treatment of COVID Infected People

The Supreme Court issued an order of mandamus on May 25, 2021, in a writ petition claiming to regulate the hospitals and bring them to the coverage of law since they were levying heavy charges for treatment of COVID-19 infected people stating that the Government must make arrangements to increase the efficiency of function of the Fees Fixation Committee to regulate the hospitals levying heavy service charge and also make the monitoring system and the sale of health service function and action, efficient.[11].

4.4. All those Staying in Quarantine must be Examined Free of Cost

The Supreme Court issued an interim order on June 1, 2021, to plan for PCR tests of the staff working directly or in the frontline and those kept in quarantine as soon as possible. The interim order was issued to the Government to decide for the security of medical persons, nurses, and staff delivering health service against COVID-19 in the frontline. It was also ordered to make health checkups of all those kept in quarantine by adopting the PCR method free of charge as soon as possible and making an appropriate arrangement of health service and security necessary for them. The court order was also issued to plan as required to save people from the infection from mosquitoes, and other insects by maintaining social distance. It was also decided to distribute food free of cost for those in the quarantine. Furthermore, it was also ordered to make medical masks and hand sanitizers available free of cost to the people in who need these things as soon as possible[12].

4.5. High Court Order Relating to COVID Insurance

The High Court Tulsipur, Nepalgunj Bench, issued a show-cause order on November 3, 2021, to 20 insurance companies that had not provided the COVID insurance. A writ petition was filed at the High Court Tulsipur, Nepalganj Bench on November 2, stating that the companies obliged to make payment of COVID insurance were not paying the amount to its beneficiaries. The writ petition was filed as a case of public concern stating that the insurance companies were not paying the amount of insurance which is NPR one hundred thousand as per the agreement made with the citizens who had subscribed to insurance during the COVID-19 pandemic. The activists affiliated to the organizations and associations, including INSEC, had filed a writ petition at the High Court Tulsipur, Nepalgunj Bench, regarding the matter of COVID insurance of the citizens. The insured persons who had tested positive for COVID during the agreement period of insurance had claimed in writing for payment of an amount of insurance. Still, the insurance companies had continued to evade the matter. Since the insured persons could not obtain the amount of insurance as per the agreement, the writ petition was filed by claiming to make available the complete information, having mentioned the reason for the failure of payment[13].

5. Order to reinstate the House of Representatives and Appoint the Prime Minister

The Constitutional Bench of the Supreme Court held on February 22,

10. https://ekantipur.com/pradesh-3/2021/05/14/162099918101612819.html (visited on January 18, 2022)
11. 077-to-1113 (Shailendra Prasad Ambedkar et al. vs. Office of the Prime Minister and Council of Ministers et al. including mandamus)
12. https://ekantipur.com/news/2020/06/01159098470133717500.html (visited on January 18, 2022)
13. https://inseconline.org/np/news/nagarikko-covid-bimasanga-ma/

2021, having made hearing of the writ filed with a claim to quash the decision dated on December 20, 2020, of dissolution of the House of Representatives, issued an order[14] to summon a session of the parliament within 13 days by quashing the said decision on the ground of unconstitutionality. Similarly, as the House of Representatives was dissolved for the second time on May 22, 2021, with the declaration of the general election; as writs against the said decision were filed at the Supreme Court claiming for restoration of House of Representatives by quashing the said decision; the Constitutional Bench quashed the judgment of dissolution of House of Representatives and issued an order of mandamus on July 12, 2021, to appoint Sher Bahadur Deuba as Prime minister. The mandamus order was issued with the restoration of the House of Representatives and with an order to commence the session of the House of Representatives within seven days or June 18, 2021[15].

Discussions were made, however, also on the matter that the mandamus order issued by the Supreme Court had hampered the right of parliament to elect the Prime Minister and parliamentary norms and values and that the Judiciary had intervened in the principle of separation of power among the Legislature, Executive and Judiciary.

6. Judgement of Sentence of lifetime imprisonment by the Dailekh District Court for Assassination of Dekendra Thapa

The Dailekh District Court made a judgment on December 12, 2021, by sentencing imprisonment for life to the persons accused of killing the journalist Dekendra Thapa namely the abscond Arun also known as Bam Bahadur Khadka, a resident of Bhagwatimai Rural Municipality-6 and Keshab Khadka, a resident of Dullu Municipality-6. As the lawsuit was filed against nine persons, including Khadka; and as he was absconding to evade the arrest; the police had arrested him two years ago from Kailali and sent him to the Dailekh District Court where the court initiated the postponed case and after a bail pleading, sent him to the Dailekh Jail. The court sentenced imprisonment for three years to Bhaktiram Lamichhane, residing at Kohalpur Municipality-3, Banke District, who is still absconding. The Maoist cadres were accused of assassinating journalist Thapa by brutally battering him to death on August 11, 2004, at Naumule during the time of armed conflict. The Maoist cadres had kidnapped Thapa, who was also the chairperson of Dailekh Bazaar Water Consumer Committee, when he was going to the water source for repairing it on June 26, 2004. Thapa was assassinated after 45 days of kidnapping. Since the Maoists were severely criticized at the same time for assassinating the journalist, they had not even shared the place where Thapa was buried[16].

7. Supreme Court Order to Ascertain 33 percent Women Participation in the Committees of Political Parties

As some of the political parties, having their recognition as national parties, had neglected the provision and registered their party at the Election Commission without including 33 percent women participation in their central committee despite the constitutional pro-

14. 077-wo-0028, 077-wo-0031, 077-wo-0032, 077-wo-0033, 077-wo-0034, 077-wo-0035, 077-wo-0036, 077-wo-0037, 077-wo-0038, 077-wo-0039, 077-wo-0040, 077-wo-0041, 077-wo-0042 (Shankar Bhandari et al vs. Office of the President Sitalnibas, Kathmandu etal, case Certiorari Mandamus)
15. https://ekantipur.com/news/2021/07/12/162606988455742874.html (visited on January 18, 2022)
16. https://bit.ly/3fOJBMn

vision of the right of women to participate in all the agencies of state based on proportionate inclusive theory outlined in the Confestitution of Nepal[17]; some people including Advocate Indu Tuladhar had filed a writ petition at the Supreme Court against the Election Commission[18] by claiming to get ascertained the 33 percent female participation in the political parties. The Supreme Court, hearing the writ, declared a mandamus order against the defendants stating that all the structures of political parties must have 33 percent participation of women based on the inclusive theory outlined in the Constitution that the party should be registered only by observing the matter of such involvement of women and that on the part of a political party already registered earlier, such arrangement should be made from the national congress organized as per the Statute of the party[19]. After that order, the political parties decided in their respective Statute to get the participation of 33 percent of women in the Committees of each level.

8. Payment to Sugarcane Farmers

Directive Principles and State policy of the Constitution of Nepal explicitly states that the Farmers shall have easy access to agricultural products, fair pricing of the same and the market. Despite this, after not being paid the price of their products for several years, sugarcane farmers had to demonstrate in the capital. Advocate Punya Prasad Kharel had filed a writ petition against the Office of Prime Minister and Council of Ministers by claiming for an end of such situation, the Supreme Court heard the case on December 23, 2021, and issued an interim order stating that the farmers are entitled to get the price of the product they sell, it is an accepted rule. Yet, the farmers are compelled to come to the capital city and arrange sit-ins every year. This reflects sheer injustice to the farmers. Court then ordered the authorities to clear the due payment of sugarcane farmers within a month.[20]

9. End of Discretionary Power of Chief Justice and Commencement of Lottery System

The Chief Justice was practicing the custom of Bench formation by choosing judges and prescribing the cases to the Bench from the very beginning of the modern judiciary system in Nepal. The present Chief Justice was blamed for misusing his discretionary power to choose the judges, formulate the Bench, and prescribe the cases favourable to his vested interest[21]. Hence, the Second Amendment in the Supreme Court Rules, 2017, was made on November 22, 2021, by ending the discretionary power of the Chief Justice. The amended Rules set forth the provision - " Prepare and publish the weekly cause list. Prepare a daily cause list and present it in the full bench meeting for lottery process[22]". The practice of prescribing the cause list by adopting the lottery system commenced on December 1, 2021, by implementing this provision[23]. Before this time, the report submitted regarding the measures to be taken to prevent the immorality, ill practice, irregularity or corruption to have occurred in the Court and the Activities to be Committed by

17. Constitution of Nepal, sub-article (4) of Article 38.
18. https://www.setopati.com/politics/231978 (visited on January 18, 2022)
19. Indu Tuladhar et al. vs. Election Commission, case certiorari (074-to-0296)
20. Constitution of Nepal (2015), Article 50, Police relating to Agriculture and Land Reform of the Directive Principles of the State
21. https://www.onlinekhabar.com/2021/11/1046464 (visited on January 18, 2022)
22. Amended by the Supreme Court (Second Amendment Rules, 2021 (Insertion (a1) after (a) of subrule 1 of rule 8 of the main Rules)
23. https://nepaltimes.net/sarbochhama-aajadekhi-gola.pa/(visited on January 18, 2022)

the Brokers, 2021 had mentioned adopting lottery system in High and District Courts including the Supreme Court for the time being and management of cause list by entirely automation method in the future[24].

10. Obstruction in Judicial Process

When the Judges of Supreme Court rejected the Bench by expressing their intention of not attending the Bench prescribed by the Chief Justice guided by the 'setting' made by him during the management of cause list, the regular Bench could not be proceeded from October 25, 2021, at the Supreme Court[25]. But subsequently, the Justices of the Supreme Court returned to the Bench on December 1, 2021[26]. The Benches of Court obstructed since the past 37 days proceeded regularly when the Second Amendment of Supreme Court Rules set forth the application of lottery system in choosing the Benches and Justices of the Supreme Court as per the demand of the Justices of the Supreme Court and the Nepal Bar Association. In this context, the Nepal Bar Association had declared movement against Chief Justice Cholendra Shumsher JB Rana and demanded his resignation on the ground of his failure to prevent immorality, ill practice, and corruption, and so on his inability to maintain fairness and dignity of the Judiciary[27].

INSEC, through a press release dated November 16, 2021, drew the attention of the concerned persons to the situation of the impact of movement to the judicial process as a whole and fully obstructed regular activities of the court, stating that the matter of involvement of Justices of Supreme Court in the movement by blaming the Chief Justice of the Supreme Court for inviting immorality in the Judiciary was a very serious matter. In the said press release, displeasure was expressed regarding the silence of the elected people's representatives (federal parliament), the primary generator of democracy and the political parties as its source regarding the crisis appeared in the court[28].

11. Judicial Fairness and the Report Submitted by the Committee Convened by Hari Krishna Karki

The Supreme Court had formed a 13 members Committee consisting of nine members and four invitees convened by Hon'ble Justice Hari Krishna Karki on August 14, 2020, for the purpose of suggesting remedial measures to prevent immorality, ill practice, irregularities or corruption, and the probable activities to be committed by the brokers in the Judiciary. The said committee submitted a report to Hon'ble Chief Justice on July 29, 2021. Some suggestions out of those offered by the committee for judicial fairness are given in this article.

11.1. To Register the Cases online

The use of information technology can make justice delivery fast, efficient, easy and hassle-free. Considering the same, the Courts were suggested to make an arrangement for the online registration of cases and writs, pleadings along with an arrangement for taking dates and getting information online and create an environment for the beneficiaries to have access to efficient delivery of Justice.[29]

24. https://nepaltimes.net/sarbochhama-aajadekhi-gola.pa/(visited on January 18, 2022)
25. https://ratopati.com/story/209143/2021/12/1/supreme-court-visited on January 18, 2022)
26. https://nepaltimes.net/sarbochhama-aajadekhi-gola.pa/(visited on January 18, 2022)
27. https://nepalpress.com/2021/10/29/115805/(visited on January 18, 2022)
28. https://inseconline.org/np/press/nyayapalikama-dekhiyeko-on/
29. Judicial Fairness and the Report submitted by Hari krishna Karki led Committee, 2021, p. 143, Chapter 4

11.2. Recommendation to Adopt Lottery System for the Formation of Bench and Prescription of Cause List

As there was an extreme complaint that the discretionary power of Chief Justice regarding the formation of the Bench and prescription of cause list (existing system) had increased the immorality, ill practice, irregularities, and corruption in the Judiciary; it was suggested to address the complaint by adopting the system of prescribing a case from beginning to end to the same Judge in the District Court and to implement the automatic listing system for formation of Bench and prescription of the cause list in the Supreme Court and High Courts etc. publication of cause list by a lottery system in a transparent and reliable method until the automation system is not implemented[30].

11.3. Control of Brokers in the Court

The report had indicated the presence of active brokers in the court and suggested that as the brokers might commit illegal activities by misusing their relationship with the responsible officials; the responsible officials must be careful that the persons who are not relevant to the case should not be allowed to enter into the court. The Justices influenced by the brokers should be taken under the law and should be asked serious questions regarding the increment of corruption in the Judiciary[31].

11.4. Regarding the Exercise of Discretionary Power

To address the complaint that the exercise of discretionary power in the delivery of justice could not be justifiable and judicious; a suggestion was given that the practice of discretionary power during delivery of justice should be subjected to the Constitution, prevailing laws, acceptable principles of justice, norms and values and the principles propounded by the Supreme Court[32].

11.5. Bench to be in Session on Time

As the Constitutional Bench could not be held regularly and other Benches also could not be held in the prescribed time despite remaining the cases and writs having serious constitutional questions supposed to be settled immediately under judicial trial, and as this situation has resulted in negative impression to the stakeholders; the legal provision to be held the constitutional Bench and other Benches in the prescribed time must be abided by[33].

11.6. Use of Electronic Media in the Court

The court was suggested to make its daily work technology friendly by duly considering the practice of pleasing

It was suggested to make the performances of the court as technology-friendly by giving due consideration to the practice of pleading also, to make changes in the course of pleading in person by the law practitioner at the court and encourage the electronic media to extend the use of information technology in the function including the extension of the time limit and proceeding the activities of the court by using video conference or court zoom technology[34].

30. Judicial Fairness and the Report submitted by Hari krishna Karki led Committee, 2021, p.143, Chapter 6
31. Judicial Fairness and the Report submitted by Hari krishna Karki led Committee, 2021, p.143, Chapter 6
32. Judicial Fairness and the Report submitted by Hari krishna Karki led Committee, 2021, p.149, Chapter 2
33. Judicial Fairness and the Report submitted by Harikrishna Karki led Committee, 2021, p.149, Chapter 3
34. Judicial Fairness and the Report submitted by Harikrishna Karki led Committee, 2021, p.151, Chapter 2

11.7. To Impart Training for Stakeholder Friendly Behaviour

The report, submitted for an end of misbehavior committed by some of the staff of the court to the stakeholders knocking on the door of the court to seek justice, had suggested motivating the staff for stakeholder friendly behavior by imparting training regarding the stakeholder's friendly behavior and its fundamental aspects[35].

11.8. Judiciary to be kept Free from Political Debate

It was suggested that despite the constitutional provision of settling the constitutional question regarding the political issue by the court, the judicial leadership should play an active and effective role in not allowing to commit any activity to hamper the independence of the Judiciary caused by any kind of political intervention.[36]

12. Performance of Judiciary

The primary indicator of court's performance is the number of timely cleared-up cases registered in the court. In the time of preparation of this article, the Supreme Court had not publicized the report of the fiscal year 2020-21. Therefore, the performance of the Supreme Court, seven High Courts in the capacity of court of appeal, and the District Courts are evaluated based on the annual report of the last three fiscal years. The number of cases brought forward from the previous year, newly registered, settled, and pending cases, is enshrined in this article.

12.1. Integral Evaluation of the Fiscal Year 2019-20[37]

It is found that an average of 54 percent of the cases brought forward from the previous year and newly registered cases of the whole three-level Courts were settled in the fiscal year 2019-20. It is further noted that the Supreme Court had settled 32.20 percent of cases, High Courts had settled 64.01 percent, and District Courts had settled 65.87 percent of the cases during this period. This reveals that the Supreme Court is lagging behind in settlement of cases. Similarly, these Courts have many cases older than two years.The number of pending cases are lowest in the High court and highest in the Supreme court. This shows that the citizens are deprived of their right to speedy and quick delivery of justice.

12.2. Details of Cleared up and Pending Applications of all the Courts[38]

The Supreme Court, High Courts, and District Courts have settled 66 percent of the cases out of those carried forward from the previous year and newly registered ones from FY 2017-18 to 2019-20. The highest ratio of settlement of cases is 70.66 percent in the fiscal year 2018-19. Similarly, all these years, the number of cases not settled during more than two years was significantly high.

12.3. Cleared up and Pending Applications of Supreme Court[39]

To discuss the details of cleared up and pending cases of the Supreme Court

35. Judicial Fairness and the Report submitted by Harikrishna Karki led Committee, 2021, p.155, Chapter 3
36. Judicial Fairness and the Report submitted by Harikrishna Karki led Committee, 2021, p.156, Chapter 2
37. Annual Report of the Supreme Court, 2019-20
38. Annual Report of the Supreme Court, 2019-20, 2018-19 and 2017-18
39. Annual Report of the Supreme Court, 2019-20, 2018-19 and 2017-18

Evaluation of the Fiscal Year 2019-20							
Courts	Brought Forward	Newly Registered	Total	Settled		Pending	Above than 2 years
				Number	Percentage		
Supreme Court	24180	11801	35981	11225	31.20	24756	8697
High Courts	15582	39978	55560	35562	64.01	19998	251
District Courts	64705	158034	222739	146718	65.87	76021	6212

from the fiscal year 2017-18 to 2019-20, the court settled eleven thousand two hundred twenty-five cases out of total thirty-five thousand nine hundred eighty-one cases, including twenty-four thousand one hundred eighty cases brought forward from the previous fiscal year and newly registered eleven thousand eight hundred eighty-one in the fiscal year 2019-20. Out of the pending twenty-four thousand seven hundred fifty-six cases, eight thousand six hundred ninety-seven were older than case older than five years reflects the poor condition of access to justice of the people.

12.4. Clearance of Pending Cases of the High Courts[40]

While evaluating the performance of the seven High Courts in the capacity of court of appeal, it is found that these Courts have settled the cases more than that of the Supreme Court. The number of pending cases older than two years were also low. Out of fifty-three thousand two

Pending Applications of Supreme Court								
Fiscal Year	Brought Forward	Newly Registered	Total	Settled		Pending	Above than 2 years	Above than five years
				Number	Percentage			
2019-20	24180	11801	35981	11225	31.20	24756	8697	2058
2018-19	20298	14624	34922	10742	30.76	24180	7446	1964
2017-18	21829	10888	32717	12419	38.0	20298	8920	

two years, and two hundred fifty-eight cases were older than five years. Since the Supreme Court is the apex point for justice of the citizens, remaining pending hundred thirty-six cases in the fiscal year 2017-18, 71.1 % were settled. Likewise, out of sixty thousand seventy cases of the fiscal year 2018-19, 74 percent were set-

Pending Applications of all the Courts							
Fiscal Year	Brought Forward	Newly Registered	Total	Settled		Pending	Above than 2 years
				Number	Percentage		
2019-20	104467	209813	314280	193505	61.57	120775	17218
2018-19	93470	262029	355499	251183	70.66	104316	12704
2017-18	94539	179491	274030	180560	65.9	93470	12793

40. Annual Report of the Supreme Court, 2019-20, 2018-19 and 2017-18

Pending Cases of the High Courts							
Fiscal Year	Brought Forward	Newly Registered	Total	Settled		Pending	Above than 2 years
				Number	Percentage		
2019-20	15582	39978	55560	35562	64.01	19998	251
2018-19	15387	44683	60070	44488	74.06	15582	112
2017-18	20083	33153	53236	37849	71.1	15387	1253

tled. Out of a total of fifty-three thousand two hundred thirty-six cases in the fiscal year 2019-20, 64.01 percent was settled.

12.5. Cleared up and pending Cases of District Courts[41]

While evaluating the performance of 77 District Courts of the country, it is found that they have settled 60 percent to 70 percent cases in the three fiscal years. The number of cases older than two years also is high in these Courts where the people knock on the door for justice first.

13. Outcome of Justice

The delay of justice by the court has seriously affected the right to justice of the victims. The number of pending cases older than five years in the Courts proves the principle of Justice in Nepal that Justice delayed is justice denied. Some of the representative cases that can be taken as an example of delay of the Judiciary are the judgment relating to the result of the election of Manarasiswa Municipality Ward No. 10 of Mahottari District[42]; the judgment of declaration of innocence of Police Constable Madan Narayan Shrestha of Temporary Police Check Post Gongabu after his 13 years and six months long imprisonment; case of crossing 16 years of kidnapping and assassinating Arjun Lama of Kavre by the cadres of the then NCP (Maoist); repeated postponements of hearing of the case against ex-minister and Congress leader Mohammad Aftab Alam.[43]

14. Conclusion

The entire world was affected by the second wave of COVID-19 in 2021. Many lost their lives. Like in the last year, the COVID-19 affected this year from the beginning. The pandemic of COVID-19 became fatal from the second week of April 2021, and a prohibition order was issued from April 29, 2021. In such a situation, service delivered from the state agencies were adversely affected.

The prohibition order affected the function of the Judiciary. In such a situation, the Supreme Court had made a

Pending Cases of District Courts							
Fiscal Year	Brought Forward	Newly Registered	Total	Settled		Pending	Above than 2 years
				Number	Percentage		
2019-20	64705	158034	222739	146718	65.87	76021	6212
2018-19	57785	214926	272711	208006	76.27	64705	3182
2017-18	52627	135450	188077	130292	69.3	57785	2620

41. Annual Report of the Supreme Court, 2019-20, 2018-19 and 2017-18
42. https://inseconline.org/np/news/char-barshaaghi-wadadhyakshama/(visited on an. 23, 2022) Recounting of polls on October 23, 2020, as per the Supreme Court Order after four years of the local election after which the former result of the election was changed.
43. https://inseconline.org/np/press/nyayapalikama-dekhiyeko-on/

special decision to accomplish only the hearing of habeas corpus, applications relating to children's rehabilitation center, permission, and approval of warrant for arrest at the Supreme Court, High, and District Courts. Even in the situation of prohibition order caused by the COVID-19 pandemic, the Supreme Court and High Courts had issued different orders and judgments regarding the right to health, free medical checkups, easy availability of vaccines, and payment of the amount of COVID insurance. The Full Court of Supreme Court gave authentication to the virtual media as a new technology to run the important services, including the assurance of fundamental rights smoothly.

The significant orders, like, the reinstatement of the House of Representatives and the Supreme Court order to appoint Prime Minister was welcomed by one group and protested by another group. The matter was also commented claiming the mandamus order to make Prime Minister issued by the Supreme Court was an intervention of the Judiciary against the privilege of parliament to elect Prime Minister.

The Chief Justice was accused that the function of the formation of Bench and the prescription of cases in his discretionary power was the misuse of power. He had prescribed the cases and Benches in favor of his vested interest. The Supreme Court and the Nepal Bar Association had also launched a movement based on the accusation imposed on the Chief Justice. This resulted in the Second Amendment of the Supreme Court Rules by provisioning the practice of choice of Justices based on the lottery system for the time being.

Supreme Court Justices boycotted the bench stating that the Chief Justice's involvement in setting the cause list and forming the bench. The court resumed after 38 days of obstruction following the second amendment of the Supreme Court rule ensuring lottery system in division of the cases.

A committee constituted by the Supreme Court under the coordination of Hon'ble Justice Harikrishna Karki regarding finding out the remedial measures for the prevention of immorality, ill practice, irregularity, or corruption and the activities to be done by the brokers in the Judiciary had prescribed the suggestions for judicial fairness.

Justice delayed is justice denied. Although the progress report of the Fiscal Year 2020-21 could not be available, it is found based on the reports of the past three fiscal years that one hundred twenty thousand seven hundred seventy-five cases remained pending out of the total three hundred fourteen thousand two hundred eighty cases in the Supreme Court, High Courts and District Courts in the last year also. Among the pending cases, seventeen thousand two hundred eighteen cases were older than two years. Remaining the pending cases for a long time without a settlement is an obstruction to the right of people to obtain speedy and fair justice as guaranteed by the Constitution.

The matter of rising question regarding setting in the Judiciary, corruption, emergence of brokers protected by the officials of Judiciary and challenge against the discretionary power of Chief Justice is the destruction of faith and belief towards the Judiciary. The Judiciary should have a significant role in the operation of state affairs under the federal democratic system achieved by the people through struggle, the principle of separation of power, and balance of power.

2.2 State and Human Rights

Chapter 2 Executive

Photo: Ramesh Prasad Timalsina

Introduction

The government has to fulfill the responsibility of assurance of human rights. The Constitution states that the federal government, provincial governments, and local level governments should be accountable for the protection, development, and assurance of civil rights. The present situation of human rights can be improved by ensuring the implementation of existing laws and making recommendations to the Legislature for amendment and formulation of laws as per the need. The Executive has the responsibility to share the status of human rights in international forums through the periodic reports to ensure the compliance of the international treaties and conventions and implementing the arrangement and provisions of those treaties and the Universal Declaration of Human Rights.

This article presents the analysis of activities of the elected government for the period of January to December, 2021 to review the state's accountability towards human rights.

1) Initiation towards an End to Violent Conflict

The government lifted the ban to the CPN led by Netra Bikram Chand (Biplav) by conducting dialogue with the party after two years. The three-point agreement was made in the dialogue held between the government and Netra Bikram Chand (Biplav)-led CPN on March 4, 2021, the ban on the party was lifted. The government had banned the CPN on March 9, 2019. This agreement has paved for a positive step towards respecting the people's rights to make their demands in a peaceful manner and to make one's demands in a peaceful way. The agreement that was made between the government and the party disseminated a positive message to the public.

Three Points of the Agreement[1]

1. Both the parties (the Government of Nepal and the Communist Party of Nepal) have agreed to resolve the country's political problems through dialogues and talks.
2. The Communist Party of Nepal has agreed to conduct all its political activities in a peaceful manner.
3. The Government of Nepal has agreed to lift the ban on the Communist Party of Nepal, release imprisoned leaders and cadres of the party, and dismiss all allegations against the party.

As both parties have remained silent on the issue of arms management and serious acts of human rights violations committed by the Communist Party of Nepal and retaliatory activities of the government in the name of controlling their violent activities after the Government of Nepal decided to ban the party on March 12, 2019. The government's accountability towards the protection and enforcement of human rights has been questioned because the third point of the agreement mentions about the "release of imprisoned party leaders and cadres, and dismiss all allegations against the party.

The agreement has not ensured the guarantee of justice in criminal offenses because the third clauses of the agreement mentioned the amnesty by releasing all the alleged leaders and cadres and dismiss all the cases against them. It is important to reflect the historical context of 10-year long armed conflict in which victims of serious human rights violations have not yet got justice and impunity for those involved in human rights violations is continued.

1. https://www.onlinekhabar.com/2021/03/935642

2) Promulgation of Laws Related to Civil Rights

The policies and laws developed by the government should lead society towards the path of human rights. After the restoration of democracy, the bitter truth is that the issues a party criticizes when it is in opposition are forgotten when it runs the government. The government's actions in 2021 were not without criticism. Although the government should bring laws in the best interests of the common people through the parliament, it issued an ordinance when the parliament was not regular due to political strife among political parties. The Acid and Other Hazardous Chemicals (Regulation) Ordinance, which had been brought on September 28, 2020, has been brought back through the ordinance on May 4, 2021. This law is considered to be very effective in regulating recent criminal incidents, including acid attacks. Similarly, the government seems to have realized the need to protect civil rights as it has issued the laws related to Covid-19 crisis management, protection of health workers and health institutions, and the law against sexual violence through an ordinance. Due to the outbreak of the COVID-19 pandemic, it has been realized that investment should be made in the health sector. So, out of three hundred ninety-six hospitals that had been laid with the foundation on November 30, 2020 across the country, are under construction. (See-Situation of health service in district profile of this book)

3) An Unbalanced Relationship with the Legislature

According to the provisions of the constitution, it is the responsibility of the government to convene and end the sessions of the parliament. During this period, there was a crisis in the legislative leadership of the government. It is found that the parliamentary affair is bound to be unbalanced this year due to internal strife within the leading party and the shattered commitment of the party's leaders towards the election manifesto through which the majority verdict won in the parliament. The process of the sudden closure of the parliament sessions and trying to solve inconveniences of the government through ordinance raised doubts over the misuse of the constitutional provision.

The government should take the lead in making laws through parliamentary practise on the issues of public interest and necessity and should ensure governance on the basis of the rule of laws. The government recommended the Ordinance on Political Parties (Second Amendment) Ordinance, 2021, and issued on August 18, 2021. After the split of the two parties, it was replaced again by the repealing ordinance on September 27, 2021. The Supreme Court issued an interim order not to implement the ordinance of the Citizenship Act amendment. The Act amendment bill was in the parliament since August 7, 2018. The ordinance was issued after the two days of the dissolution of the House of Representatives. The fact that only two laws have been promulgated during the period of one year which can be seen on the website of the Office of the President[2], and twenty-four ordinances have been issued during the same period, and those ordinances could not be endorsed into laws through parliamentary practice has revealed the government's indifference towards parliamentary practice.

4) Contradictions with the People's Interest

All the political parties had expressed their commitment for and belief

2. https://president.gov.np/category/%e0%a4%aa%e0%a5%8d%e0%a4%b0%e0%a5%87%e0%a4%b8-%e0%a4%b5%e0%a4%bf%e0%a4%9c%e0%a5%8d%e0%a4%9e%e0%a4%aa%e0%a5%8d%e0%a4%a4%e0%a4%bf/

in political stability when the constitution was promulgated through the Constituent Assembly on September 20, 2015. They had also promised the people that the government would run the office for a full term of five years. Although the people had approved the full term of the periodic government with political stability, the focus of the political leadership continued to revolve around power. The government that had put forward the slogan of "Happy Nepali, Prosperous Nepal" could not achieve all the targeted results through its activities. The stated concern of the government was to increase the activities of economic development, to establish industries and factories, to develop the infrastructure, to work for the fulfilment of the fundamental rights written in the constitution. Its aim was to create a conducive environment to consume Nepali labour within the country by ending unemployment.

All of these issues are enshrined in the fundamental rights of the constitution. However, the leadership of the political parties has primarily focused on the power game. The open and declared practices of the ruling party leaders in the game of overthrowing the government and sustaining it hindered for achieving the significant results of stated concerns. People's votes and trust gained in accordance with the joint manifesto of the left parties were shattered towards the end of 2020. President Bidya Devi Bhandari dissolved the House of Representatives on the recommendation of Prime Minister KP Sharma Oli. However, the Supreme Court ruled out the dissolution of the parliament and reinstated it on February 23, 2021.[3]

The game of power and political instability became more intense. KP Sharma Oli resigned from the post of Prime Minister and the President's Office called for the submission of candidacy for the position of Prime Minister by April 26, 2021. In response to this call, KP Sharma Oli and Sher Bahadur Deuba submitted their claims to the President for the post of Prime Minister.

The leader of the Nepali Congress Parliamentary Party, Sher Bahadur Deuba, submitted the signatures of sixty-one members of parliament Congress MPs, forty-nine members of parliament from the CPN (Maoist) Center, twenty-six members of parliament from the CPN UML's Madhav Kumar Nepal faction, twelve members of parliament from the Janata Samajwadi Party's Upendra Yadav faction and one member of parliament from the Rashtriya Janamorcha. The leader of the CPN UML Parliamentary Party, KP Sharma Oli, reclaimed the post of the prime minister with the support from CPN UML and Janata Samajwadi Party Parliamentary Party. The President's Office decided that both the claims were incomplete. The House of Representatives was dissolved for the second time on May 22, 2021, on the recommendation of Prime Minister KP Sharma Oli. The House of Representatives that had been dissolved for the second time was again reinstated by the verdict of the Supreme Court on July 12, 2021.[4] In the verdict, the Supreme Court issued an order of mandamus to appoint the leader of the Nepali Congress parliamentary party Sher Bahadur Deuba as the prime minister. A dispute arose between the court and the Nepal Bar, and the judges in the court in connection with this decision, and it obstructed the process of the Supreme Court.

When the federal government was in crisis, its repercussions were seen in the provinces as well. Although forming and changing the provincial government is limited to the scope of the concerned

3. https://drive.google.com/file/d/1pHcUbAgBl02QGZLoFLP4JT626Z8VRcx6/view
4. https://drive.google.com/file/d/1Y3arz0qxXRHZDklQ49354gEPBwpPl-3F/view

province assembly, the province chiefs, which are not executives, were also frequently changed by the federal government. Even during the first practice of the provincial structure of the government, up to four province chiefs were altered. As a result of the change of the federal government, in all provinces, except in two provinces, the provincial governments were changed. In Province 1 and Bagmati Province, the government changed twice. The governments and parliaments of Province 1 and Province 2 could not even name the province. Human rights issues and issues of public concern could not be prioritized due to frequent changes of the government. Article 163, Clause 3 of the Constitution states that the term of office of the province chief shall be five years unless the President dismisses him/her before the expiration of the term.[5] During the period of three years, the province chief was changed four times in Gandaki Province and thrice in Lumbini Province[6].

The Trend of the Change of the Province Chief this Year

- Appointment of Rajesh Jha as the Province Chief in Province Two by dismissing Tilak Pariyar on February 19, 2021.
- Appointment of Sita Kumari Poudel as the Province Chief in Gandaki Province by dismissing Amik Sherchan, and Appointment of Ganga Prasad Yadav as the Province Chief in Sudur Pashchim Province by dismissing Sharmila Kumari Panta May 3, 2021.
- Appointment of Prithvi Man Gurung as the Province Chief in Gandaki Province by dismissing Sita Kumari Poudel and Amik Sherchan as the Province Chief in Lumbini Province by dismissing Dharma Nath Yadav on July 27, 2021.
- Appointment of Hari Shankar Mishra as the Province Chief in Province Two by dismissing Rajesh Jha on August 17, 2021.
- Appointment of Yadav Chandra Sharma as the Province Chief in Bagmati Province by dismissing Bishnu Prasad Prasai on August 20, 2021.
- Appointment of Parshuram Khapung as the Province Chief in Province One by dismissing Somnath Adhikari, the appointment of Tilak Pariyar as the Province Chief in Karnali Province by dismissing Govinda Prasad Kalauni, and appointment of Dev Raj Joshi as the Province Chief in Sudur Pashchim Province by dismissing Ganga Prasad Yadav on November 9, 2021.

There was a lack of chiefs and members of different constitutional bodies for a long time due to the disruption of the meeting of the Constitutional Council. In accordance with the provision of recommendation ensured after the amendment of the quorum of the meeting of the Constitutional Council, chairpersons and members were appointed to the eleven constitutional bodies on February 3, 2021. Thirty persons were appointed in constitutional bodies: The Commission for the Investigation of Abuse of Authority, Election Commission of Nepal, National Human Rights Commission, National Natural Resources and Fiscal Commission, National Women Commission, National Dalit Commission, National Inclusive Commission, Indigenous Nationalities Commission, Madhesi Commission, Tharu Commission, and Muslim Commission

5. http://www.moljpa.gov.np/wp-content/uploads/2020/06/%E0%A4%A8%E0%A5%87%E0%A4%AA%E0%A4%BE%E0%A4%B2%E0%A4%95%E0%A5%8B-%E0%A4%B8%E0%A4%82%E0%A4%B5%E0%A4%BF%E0%A4%A7%E0%A4%BE%E0%A4%A8.pdf
6. https://ekantipur.com/news/2021/07/28/162744313836031033.html

Nepal. Similarly, twenty persons were appointed to the Public Service Commission and other remaining bodies on June 24, 2021 after the dissolution of the House of Representatives. Such appointments challenged the system of parliamentary hearings. When the government appoints members and chairpersons in the constitutional bodies on the recommendation of the Constitutional Council by avoiding parliamentary hearings, there would be the accountability gap of the appointees to the people and established procedure.

5) Fifth National Action Plan on Human Rights

The government had initiated the Human Rights Action Plan intending to translate the international commitments through the periodic action plan. The government has brought the Fifth National Action Plan for Human Rights into action for FY 2020/021 to 2023/024[7]. The action plan covers seventeen issues, including education, health, food, and housing. The responsibilities of all three levels of government have also been specified for the implementation of the action plan, which is a positive step taken by the government.

6) Right to Education

The government had declared in the budget of 2021/022 that an arrangement would be made for blind children to get an education with the help of modern technology, including Braille textbooks. Students with visual impairment studying at Shivalaya Secondary School in Kushma Municipality of Parbat district have faced difficulty in their studies due to the lack of Braille textbooks[8]. There was also a problem with Braille textbooks in Sinja Rural Municipality of Jumla district[9]. The implementation of the prohibition order (lockdown) at the beginning of the academic session has negatively affected the academic calendar as well as the education of the children. Educational institutions were opened in the Kathmandu Valley only from mid-September after a repeated extension of the period of the lockdown (prohibition order) issued from April 29, 2021; although many attempts have been made to develop an online (virtual) teaching and learning system, there is news that it has not been pretty effective. The education sector, like every aspect of human life, is being badly affected due to the COVID-19 pandemic. Various studies have shown that more than ninety percent of students taking formal education worldwide have been affected by the pandemic in one way or another[10].

7) Right to Health

The constitution has ensured the right to health. It has to be implemented by three levels of government. However, those medicines to be provided free of

7. http://ocmcm.sudurpashchim.gov.np/sites/ocmcm/files/2021-04/%E0%A4%AE%E0%A4%BE%E0%A4%A8%E0%A4%B5%20%E0%A4%85%E0%A4%A7%E0%A4%BF%E0%A4%95%E0%A4%BE%E0%A4%B0%20%E0%A4%B8%E0%A4%AE%E0%A5%8D%E0%A4%AC%E0%A4%A8%E0%A5%8D%E0%A4%A7%E0%A5%80%20%E0%A4%AA%E0%A4%BE%E0%A4%81%E0%A4%9A%E0%A5%8C%20%E0%A4%B0%E0%A4%BE%E0%A4%B7%E0%A5%8D%E0%A4%9F%E0%A5%8D%E0%A4%B0%E0%A4%BF%E0%A4%AF%20%E0%A4%95%E0%A4%BE%E0%A4%B0%E0%A5%8D%E0%A4%AF%E0%A4%AF%E0%A5%8B%E0%A4%9C%E0%A4%A8%E0%A4%BE.pdf
8. https://inseconline.org/np/news/%e0%a4%ac%e0%a5%8d%e0%a4%b0%e0%a5%87%e0%a4%b2-%e0%a4%aa%e0%a4%be%e0%a4%a0%e0%a5%8d%e0%a4%af%e0%a4%aa%e0%a5%81%e0%a4%b8%e0%a5%8d%e0%a4%a4%e0%a4%95-%e0%a4%85%e0%a4%ad%e0%a4%be%e0%a4%b5-%e0%a4%b9/
9. https://inseconline.org/np/news/%e0%a4%ac%e0%a5%8d%e0%a4%b0%e0%a5%87%e0%a4%b2-%e0%a4%aa%e0%a4%be%e0%a4%a0%e0%a5%8d%e0%a4%af-%e0%a4%aa%e0%a5%81%e0%a4%b8%e0%a5%8d%e0%a4%a4%e0%a4%95-%e0%a4%a8%e0%a4%b9%e0%a5%81%e0%a4%81%e0%a4%a6/
10. https://ekantipur.com/opinion/2021/06/17/162389574010845766.html

cost by the government are not available in health institutions. The government has been providing seventy-two types of medicines, including paracetamol, cotrim, amoxicillin, zinc, brufen, metro, azithromycin, vitamins, and *Jeevanjal* (ORS-Oral Rehydration Solution) free of cost in the district level hospitals. However, people have to suffer the scarcity of these medicines[11].

COVID-19 Pandemic

Due to the outbreak of the COVD-19 pandemic, people could not enjoy all kinds of human rights. People were even deprived of some natural rights. There were many news reports of the violation of the people's right to life because of the COVID-19 pandemic. Articles 16 and 35 of the Constitution of Nepal, Articles 2 (1), 3 (1) and 4 of the Public Health Services Act, 2018, as well as Article 25 of the Universal Declaration of Human Rights, 1948, and Article 12 of the ICESCR in which Nepal is a state party, have ensured the rights of every person to access all health services including emergency health service. It is felt an urgent need for initiatives of all three levels of government to ensure the right to health of the people in accordance with these provisions.

Due to the infection of COVID-19, all kinds of human rights were comparatively overshadowed. Despite the fact that the right to health is a fundamental right guaranteed in the constitution, people have not been able to enjoy that right easily during the COVID-19 pandemic. INSEC representatives have mentioned that, during this period, there are problems such as mistreatment of health workers, scarcity, and shortage of medicines and health workers in health institutions. In 2021, 2,921,653 swabs were tested with the PCR method, and 567,412 people were confirmed to have COVID-19 infection. According to the Ministry of Health, 9,730 people died of COVID-19 infection during this period[12]. According to the COVID statistics of January 1, 2021, 253,107 people have been cured. As of December 31, 2021, the number of people cured of the infection is 811,958[13].

Vaccination Assurance

Scientists around the world have been involved in the development and production of vaccines to prevent the spread of COVID-19. By the end of 2021, about two dozen vaccines have been used, and some other vaccines are in different stages of medical testing. According to the data, 194 COVID-19 vaccines in the world are in the pre-clinical development phase[14]. Coveshield, Vero Cell, Johnson & Johnson, Pfizer vaccines have also come into usage in Nepal.

Prime Minister KP Sharma Oli began a free vaccination campaign against the coronavirus on January 27, 2021, claiming that the vaccine against coronavirus would have been made available to all Nepalese free of cost within three months[15]. The Government of Nepal had set its priority after the vaccine against COVID-19 was brought to Nepal for the public for the first time. The first priority list included health workers, sanitation workers, and staff at Tribhuvan International Airport[16]. Although it was said that all those above 12 years of age would

11. https://ekantipur.com/pradesh-6/2021/07/27/162735769254212085.html
12. https://covid19.mohp.gov.np/covid/nepaliSituationReport/5feef0ee292e3_SitRep327_COVID-19_1-1-2021_NP.pdf
13. https://covid19.mohp.gov.np/covid/nepaliSituationReport/61ced3370a5ca_SitRep691_COVID-19_31-12-2021_NP.pdf
14. https://www.gavi.org/vaccineswork
15. https://www.onlinekhabar.com/2021/01/926812%
16. https://covid19.mohp.gov.np/covid/nepaliSituationReport/60114d8c199b1_SitRep353_COVID-19_27-01-2021_NP.pdf

be vaccinated, by December 31, 2021, 10,384,851 people were fully vaccinated. By the end of this year, only 52.1 percent of the target population was fully vaccinated[17].

Disorder in Health Institutions

The common people are deprived of their rights to health due to the lack of service, equipment, infrastructure, human resource. Most of the patients from rural health institutions are referred to hospitals in cities for their treatment, but they have to move out of the district due to a lack of human resources[18]. There are no health workers as per the posts in most of the health institutions across the country due to which the citizens have been deprived of enjoying their right to health (See. The state of health services in the district-wise description of this book.)

Health workers were mobilized in time to control the outbreak of diarrhoea that had spread from October 4, 2021, in Krishnanagar of Kapilvastu district. The outbreak could not be controlled in time due to the lack of adequate health workers. The patients had to be treated on the verandah, outside the verandah of Shivraj Hospital, Bahadurganj, which had the capacity of fifteen beds only, and the patients had to be treated in the classrooms and courtyards of the nearby Mahendra Primary School.[19]

When the Nepal-Korea Friendly Municipal Hospital, run by Madhyapur Thimi Municipality, shut down all health insurance services, the patients having health insurance were forced to return without treatment.

The patients, who had come to the hospital, were faced problems when the hospital stopped providing free medicine to the patients having health insurance from September 16, 2021, stating that the government had not sent the money for the purchase of free medicine for the insurance patients[20]. The hospital did not provide services till the end of this year. There were many news reports published throughout the year that Health insurance was concentrated in the city, and the patients having health insurance did not get health service[21].

The COVID-19 patients, who had been enrolled in the COVID insurance scheme were not able to receive the payback from the insurance after the increment in the COVID-19 infected population. The government could not ensure the proper response for those enrolled in the insurance scheme and deprived of the insurance payback as per the standard practice. The Accountability gap of the private companies also came onto the surface to make the committed payment as per the agreed policy. The Ministry of Finance asserted that the problem arose due to the decision to pay the sum of the insurance by violating the principle of insurance. However, the Insurance Board assured that the due payment would be

17. https://covid19.mohp.gov.np/covid/nepaliSituationReport/61ced3370a5ca_SitRep691_COVID-19_31-12-2021_NP.pdf
18. https://nagariknews.nagariknetwork.com/social-affairs/180978-1559694900.html
19. https://inseconline.org/np/feature/%E0%A4%9D%E0%A4%BE%E0%A4%A1%E0%A4%BE%E0%A4%AA%E0%A4%96%E0%A4%BE%E0%A4%B2%E0%A4%BE%E0%A4%AC%E0%A4%BE%E0%A4%9F-%E0%A4%A6%E0%A5%81%E0%A4%88%E0%A4%95%E0%A5%8B-%E0%A4%AE%E0%A5%83%E0%A4%A4%E0%A5%8D%E0%A4%AF/
20. https://inseconline.org/np/news/%e0%a4%85%e0%a4%b8%e0%a5%8d%e0%a4%aa%e0%a4%a4%e0%a4%be%e0%a4%b2%e0%a4%a6%e0%a5%8d%e0%a4%b5%e0%a4%be%e0%a4%b0%e0%a4%be-%e0%a4%b8%e0%a5%8d%e0%a4%b5%e0%a4%be%e0%a4%b8%e0%a5%8d%e0%a4%a5%e0%a5%8d%e0%a4%af/
21. https://inseconline.org/np/?s=%E0%A4%B8%E0%A5%8D%E0%A4%B5%E0%A4%BE%E0%A4%B8%E0%A5%8D%E0%A4%A5%E0%A5%8D%E0%A4%AF+%E0%A4%AC%E0%A4%BF%E0%A4%AE%E0%A4%BE

provided even if it would be late[22].

When the COVID-19 pandemic created a crisis on all sides, some private hospitals were busy making easy money. Private hospitals were found to be charging high fees instead of providing relief to the general public during the pandemic[23]. Although the government had frequently monitored and concluded, news of regulating unethical activities and charging those who violated rules were never made public. It can be deduced that regulation was too weak when the government only issued warnings to those hospitals charging high to the patients who had gone to private hospitals.

8) Right to Food

The right to food has been ensured in the constitution of Nepal. Production, storage, easy access, and availability are important concerns to guarantee the right to food. Article 2 (E) of the Right to Food and Food Sovereignty Act, 2018[24] has the provision for the right to participate in the policymaking, food process and the right to choose cultivable land, labour, seeds, technology, and tools. Similarly, sub-section F states that every person has material and financial access to the food required for an active and healthy human life. Every year, news of the food crisis in Karnali and other Himalayan districts keeps coming. This year too, the locals had to face such problems in Karnali and other Himalayan districts. The general public was deprived of access to subsidized food items because the food depots and sales outlets under the Food Management and Trading Company Limited had no food stocks[25].

On November 18, 2021, the government issued criteria for providing relief to the farmers whose crops had been damaged due to unseasonal rain in the third week of October 2021[26]. The criteria state that the local government will prepare the details of the damage and provide relief on the basis of it. It is mentioned in the criteria that a recommendation committee will be formed under the coordination of the head or deputy head of the concerned local level government. Nepal's Gross Domestic Product (GDP) is equivalent to NPR Four Trillion Two Hundred Sixty-six Billion Rupees. The contribution of the agriculture sector in it is twenty-five-point eighty-three percent.

9) Right to Housing

Article 37 of the constitution provides for the right to housing. Due to unseasonal rains in the third week of October 2021, 120 people died due to floods and landslides. The highest death toll was 69 in Province One. Similarly, the Government of Nepal stated that one person died in Province Two, one in Bagmati Province, two in Gandaki Province, three in Lumbini Province, eight in Karnali Province,

22. https://inseconline.org/np/?s=%E0%A4%B8%E0%A5%8D%E0%A4%B5%E0%A4%BE%E0%A4%B8%E0%A5%8D%E0%A4%A5%E0%A5%8D%E0%A4%AF+%E0%A4%AC%E0%A4%BF%E0%A4%AE%E0%A4%BE https://www.bbc.com/nepali/news-58854028
23. https://ekantipur.com/business/2021/05/12/16207835083155052.html
24. https://www.lawcommission.gov.np/wp-content/uploads/2021/01/%E0%A4%96%E0%A4%BE%E0%A4%A6%E0%A5%8D%E0%A4%AF-%E0%A4%85%E0%A4%A7%E0%A4%BF%E0%A4%95%E0%A4%BE%E0%A4%B0-%E0%A4%A4%E0%A4%A5%E0%A4%BE-%E0%A4%96%E0%A4%BE%E0%A4%A6%E0%A5%8D%E0%A4%AF-%E0%A4%B8%E0%A4%AE%E0%A5%8D%E0%A4%AA%E0%A5%8D%E0%A4%B0%E0%A4%AD%E0%A5%81%E0%A4%A4%E0%A4%BE-%E0%A4%B8%E0%A4%AE%E0%A5%8D%E0%A4%AC%E0%A4%A8%E0%A5%8D%E0%A4%A7%E0%A5%80-%E0%A4%90%E0%A4%A8-%E0%A5%A8%E0%A5%A6%E0%A5%AD%E0%A5%AB.pdf
25. https://annapurnapost.com/news/graamiinn-bhegkaa-ddipomaa-khaadynn-maujjaad-shuny-190567
26. http://drrportal.gov.np/uploads/document/2318.pdf

and 36 persons died in Sudur Paschim Province[27]. The government stated that among the dead, 58 men36 were women and 26 children died. The floods and landslides completely destroyed 169 houses, and 65 houses were partially damaged.

The government formed the National Land Commission in August 2021 under the leadership of Keshav Niraula by dismissing the Commission for Solving Land-related Problems under the leadership of Devi Gyawali in April 2020 to distribute land to landless people. The Commission for Solving the Problems of the Landless had been formed for the first time on November 17, 1990, under the chairmanship of the then Minister of Housing and Physical Planning Bal Bahadur Rai. Since then, fifteen commissions have been formed, and eighteen persons have become the Chairperson of those commissions. Most of the time, after the change of the government, the previous Commission would be dismissed, a new commission would be formed for the same purpose, and new leadership would be appointed. During the 30 years period, almost 1 thousand 7 hundred cadres appointed in such commissions but the problem of the 1.5 million land less people remained in the status quo.

Following the clash between the armed police personnel and squatters at Motipur Industrial Area, four have been killed by the firing of the police. The incident took place when the clash resulted between security forces and the squatters encroaching on the industrial area on October 10, 2021[28].

10)Jail and Detention

It is mentioned in the government documents that the jail will be gradually converted into a rehabilitation centre. An open jail is also envisaged. But there is not a single jail that does not have more inmates than it could accommodate. (See. Appendix 14 of this book) There are almost no jails without overcrowding. (See. Appendix 14 of this book) The jail staff have been struggling to manage the Jail. There is also a problem in the treatment of inmates due to the lack of health workers. The government and the government machinery have not been able to stop another exercise of power inside the jail. Clashes and transfers inside jail confirm this[29].

Eighteen inmates died at the Morang Prison from July 13, to the third week of November 2021. Although the policy of the state was to convert the jail from a torture chamber to a rehabilitation centre, eleven inmates died in the Morang Prison in the fiscal year 2020/021 (077-078 BS). The cause of death was not disclosed. According to the administration, seven persons died during the period from July 30, 2021 to the third week of November 2021.[30] Dr. Yuvaraj Sangraula, who had prepared the report of the jail monitoring during the tenure of the then Prime Minister Jhala Nath Khanal, pointed out that there is the gap n implementation of the suggestion for the improvement of such reports. More than thirteen reports for prison reform are pending in the Home Ministry. There has been some improve-

27. http://drrportal.gov.np/uploads/document/2252.pdf
28. https://inseconline.org/np/press/%e0%a4%85%e0%a4%a4%e0%a5%8d%e0%a4%af%e0%a4%be%e0%a4%a7%e0%a4%bf%e0%a4%95-%e0%a4%ac%e0%a4%b2-%e0%a4%aa%e0%a5%8d%e0%a4%b0%e0%a4%af%e0%a5%8b%e0%a4%97-%e0%a4%ac%e0%a4%a8%e0%a5%8d%e0%a4%a6-%e0%a4%97/
29. https://www.onlinekhabar.com/2021/09/1009126
30. https://inseconline.org/np/news/%e0%a4%ae%e0%a5%8b%e0%a4%b0%e0%a4%99-%e0%a4%95%e0%a4%be%e0%a4%b0%e0%a4%be%e0%a4%97%e0%a4%be%e0%a4%b0%e0%a4%ae%e0%a4%be-%e0%a5%a7%e0%a5%ad-%e0%a4%ae%e0%a4%b9%e0%a4%bf%e0%a4%a8%e0%a4%be%e0%a4%ae/

ment in the conditions of inmates. However, the physical condition of the dilapidated jail is worse than before[31].

11) The Question of the Protection of Dependent and Marginalized People and Communities

It is the responsibility of the state to protect the dependent and backward citizens. With the objective of fulfilling this responsibility, the government started the provision of social security allowance from the budget of 1995. The program continued this year as well. In terms of protecting the dependent and backward citizens, this program is popular and effective. Such allowances are provided to people of different groups and communities, including senior citizens in their old age, who have contributed to society. According to the Social Security Allowance Procedure 2021, social security allowances are currently distributed through the country's banking system at all local levels. According to the procedure, the banking system started in seven local levels from November 17, 2021, in two hundred forty-seven local levels from July 16, 2021, and in one hundred fifty-nine local levels from the first of Chaitra, 2077. Earlier, social security allowances had been distributed through banks in three hundred forty local levels from November 16, 2020. The procedure states that social security allowances will be provided to eight groups; senior citizens, other senior citizens, single women, widows, persons with complete disabilities, persons with severe disabilities, endangered indigenous tribes, and twenty-five specified districts and Dalit children[32]. The government has also continued this program this year as in previous years. However, the government failed to address the demands of the sexual minority communities this year as well. People in this community accuse the police of not registering complaints of violence against them[33]. The government has not made any decision or has issued any directive for their protection this year.

12) Eleventh National Census

This is the eleventh edition of the census, which was started in 1911, was completed in 2021. The government has conducted the census under the slogan 'My Census, My Participation' in the dire situation of the COVID-19 pandemic[34]. Despite the far-reaching significance of the facts and figures collected in the census, the Kayat community of Baglung declared that they would not take part in the census, demanding the identity of their community with the state. The Kayat community is not listed in the list of one hundred twenty-five castes/ethnic groups in Nepal and is not even included in the list of missing castes[35]. The Kayat community, who later agreed to participate in the census in agreement with the statistics office, stated that they would fight for the identity of their community as a separate community in the days to come. The census is also important in determining priority programs for target groups and communities. However, without the participation of the communities

31. https://annapurnapost.com/news/thnkie-jel-sudhaar-prtivedn-98335
32. https://nawarajpurmun.gov.np/sites/nawarajpurmun.gov.np/files/SocialSecurityGuidelineFinal180e4679-5aa5-4e55-a43d-f1a5e1defd59.pdf
33. https://www.cinkhabar.com/blogbichar/1990
34. https://inseconline.org/np/press/%e0%a4%9c%e0%a4%a8%e0%a4%97%e0%a4%a3%e0%a4%a8%e0%a4%be%e0%a4%95%e0%a4%be-%e0%a4%b2%e0%a4%be%e0%a4%97%e0%a4%bf-%e0%a4%87%e0%a4%a8%e0%a5%8d%e0%a4%b8%e0%a5%87%e0%a4%95%e0%a4%95%e0%a5%8b-%e0%a4%85/
35. https://inseconline.org/np/news/%e0%a4%b0%e0%a4%be%e0%a4%b7%e0%a5%8d%e0%a4%9f%e0%a5%8d%e0%a4%b0%e0%a4%bf%e0%a4%af-%e0%a4%9c%e0%a4%a8%e0%a4%97%e0%a4%a3%e0%a4%a8%e0%a4%be%e0%a4%ae%e0%a4%be-%e0%a4%b8%e0%a4%ae%e0%a4%be%e0%a4%b5%e0%a5%87/

themselves, accurate data of those communities cannot be obtained[36].

13) Government Indifference towards the Issues of Conflict Victims

It has been fifteen years since the end of the ten-year-long armed conflict. Among the commitments made through the Comprehensive Peace Accord (CPA), signed on November 21, 2006 issues related to the justice of the conflict victims have not been addressed to date. As mentioned in the peace accord, the Constitution of Nepal has changed the political system and form of governance of the country. As per the peace accord, the management of arms and weapons and combatants has been completed. However, no concrete progress has been made towards the concerns of the conflict victims in identifying the truth, delivering justice, providing reparation, and institutional reform.

Structures and mechanisms set up to redress issues of serious human rights violations during the conflict have failed to deliver effective results. It is unfortunate that the transitional justice mechanisms have not been able to build trust in its work by reassuring the victims and the national and international human rights community. The failure to implement the decisions and orders of the international community and the Supreme Court for legal and policy reform has revealed the indifference shown by the Government of Nepal and the Federal Parliament towards the justice of the victims of the armed conflict[37].

Justice is a right and a common issue above politics. Justice is a natural right of the victim. It is the responsibility of the state. It is an integral part of the peace accord signed by the state. It is a shame for a democratic state to indulge in the pain and suffering of the victims. Therefore, until the issue of justice for the conflict victims is addressed in a trustworthy manner, the government will be questioned for their account within the country and abroad. The state failed to deploy the role as directed by the Supreme Court to the transitional justice-related commissions which were formed to resolve the problems of the conflict victims and ensure their justice in the humanitarian ground. The victims could not feel that the state had responded to their voice this year too. Due to the lack of resources, an adequate legal arrangement, and trust of the victims, the Truth and Reconciliation Commission and Commission of Investigation on Enforced Disappeared Persons could not perform their duties.

14) Nepal in International Human Rights Forums

Nepal is a state party to various international conventions, including seven of the nine major human rights treaties. Nepal submits periodic reports to the UN mechanisms on the status of implementation of international conventions and mechanisms to which it is a state party. Nepal completed the third cycle of its Universal Periodic Review on Human Rights Council on January 21, 2021. Nepal has also accepted the recommendations made by the state during its review. Out of the total two hundred thirty-three, Nepal has accepted one hundred ninety-six recommendations and noted other thirty-seven suggestions[38].

36. https://inseconline.org/np/news/%e0%a4%a8%e0%a4%bf%e0%a4%b8%e0%a5%80%e0%a4%96%e0%a5%8b%e0%a4%b2%e0%a4%be%e0%a4%ae%e0%a4%be-%e0%a4%97%e0%a4%a3%e0%a4%95%e0%a4%95%e0%a5%8b-%e0%a4%b2%e0%a4%be%e0%a4%aa%e0%a4%b0%e0%a4%b5%e0%a4%be%e0%a4%b9/
37. https://inseconline.org/np/press/%e0%a4%b6%e0%a4%be%e0%a4%a8%e0%a5%8d%e0%a4%a4%e0%a4%bf-%e0%a4%b8%e0%a4%ae%e0%a5%8d%e0%a4%9d%e0%a5%8c%e0%a4%a4%e0%a4%be%e0%a4%95%e0%a4%be-%e0%a5%a7%e0%a5%ab-%e0%a4%b5%e0%a4%b0%e0%a5%8d%e0%a4%b7/
38. https://undocs.org/A/HRC/47/10

The periodic report International Covenant on Civil and Political Rights, (ICCPR) was not submitted by the government. As the state party of the covenant, Nepal had to submit the report in 2018[39]. Similarly, the periodic reports of the International Covenant on Economic, Social, and Cultural Rights (ICESCR) should have been submitted in November 2019[40], and the periodic report to be submitted to the Child Rights Committee in October 2021[41] were also not submitted this year too. However, the Human Rights Treaty Monitoring Coordination Center (HRTMCC), a network of non-governmental organizations, has sent a shadow report of the International Covenant on Civil and Political Rights, (ICCPR) to the Human Rights Committee on the December 19, 2021.

15) National Human Rights Organizations/Bodies

The Constitution of Nepal has provisioned for National Human Rights Commission, National Women Commission, National Dalit Commission, National Inclusion Commission, Indigenous Nationalities Commission, Tharu Commission, Madhesi Commission, and Muslim Commission. The government appointed the chairperson and members in these commissions this year. However, this year too, the government was not immune from the accusations that the government did not implement the recommendations of the constitutional commissions

The National Human Rights Commission has mentioned that 32.09 percent of the recommendations sent to the Government of Nepal have been fully implemented, 60.44 percent of the recommendations have been partially implemented, and 7.4 percent of the recommendations are in the process of implementation. Contrary to the Commission's recommendation to hold individuals accountable for human rights violations, the government seems to have implemented those recommendations by paying the compensation to the victims for which the perpetrators are to be liable[42].

Conclusion

The split of the ruling party pushed the country into political instability. As a result, a situation was created where politics revolved around a government formation and reformation. Political parties engaged in the untimely government replacement which contradicted their commitment for the stable government of five years tenure. The government initiated the process of sudden closure of the parliamentary session and issuance of the ordinance soon after the closure of the parliamentary session. Such practice was not limited to the federal government only, but the trend also spread to provincial governments as well. Six out of the seven provinces, the governments were changed. In Province One and Bagmati Province, the governments were changed twice. This is an unfavourable step taken against the spirit and provisions of the constitution and the commitment made by the political leadership for political stability.

Issues of lawmaking and amendment were not discussed during this period. Some binding laws were introduced through ordinances. The government announced the budget that was bound to be presented in the parliament on the last week of May as provisioned in the constitution through an ordinance. Since the

39. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Countries.aspx?CountryCode=NPL&Lang=EN
40. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/MasterCalendar.aspx
41. https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Countries.aspx?CountryCode=NPL&Lang=EN
42. https://www.nhrcnepal.org/uploads/publication/Inner_20_Years_Book_2077_Final_CTP_NHRC.pdf (page-30)

provincial governments also moved in the same direction, they have not been successful in bringing laws targeting people's rights. The implementation of the promulgated laws had also been ineffective.

The government and local administrations issued prohibitory orders claiming to control the pandemic of COVID-19. The prohibitory order was limited to the words only as no other measures were taken along with it to prevent the spread of the pandemic. In the second phase of the COVID-19 infection, there was a challenge in the management of oxygen and health care services. On the one hand, there was a dire environment where people infected with COVID-19 could not be admitted to the hospital, and on the other hand, many other patients could not reach the hospital. There was no news of any action being taken against the private sector for charging high fees for health treatment. As of December 31, 2021, ten million three hundred thousand eight hundred fifty-one people have been fully vaccinated. This year, there has been an encouraging development in the case of vaccination against COVID-19. Such initiation should be communicated as the government's accountability to the people.

The government's delay in rescue, relief, and rehabilitation of disaster victims remained the same as in previous years. Although committees were formed even to the local level to assist the disaster victims, such committees were limited to the concept. Considering the fact that the disaster victims could not get help in time due to a lack of disaster preparedness, it seems that the government should pay more attention to disaster preparedness. The right to education could not be fully protected as most of the closed schools could not provide education through alternative means. Government initiatives were needed to increase online (virtual) education efficacy for reducing the digital divide.

It is the responsibility of the government to protect and promote human rights, end impunity and ensure the implementation of rule of law. However, this year, the government has not been able to achieve all these things. It is natural to question the sensitivity of the government in the fact that the suffering and pain of the conflict victims have remained the same to date. However, the creation of an atmosphere of peaceful politics by signing a three-point agreement through peaceful negotiations and dialogues with the then banned CPN circulated the hope for improvement.

2.3 State and Human Rights

Chapter 2

Legislature

Photo: Bimal Chandra Sharma

The history of the parliamentary system in Nepal is not that long. In a democracy established after the downfall of the Rana regime in 1951, it took eight years for parliamentary elections to be held. Within a year and a half of the formation of the government after the general election of 1959, in which Nepali Congress had got two-thirds majority seats, it fell prey to the wrath of King Mahendra. Next thirty years till 1990, citizens of Nepal were ruled by a party-less authoritarian *Panchayat* regime. Most of the parliaments till 2007 did not function for full time. The monarch and other political parties were accountable to hinder the full-term functioning of the parliament. The majority of governments could not complete full terms. Obstacles were created for the parliament to fulfil its role.

The Comprehensive Peace Accord signed to end the ten-year-long armed conflict brought the CPN (Maoist Centre) into the reinstated parliament as one of the major political forces in 2006. With the entry of the Maoists into the parliament, there was a hope in the people that all of the unethical practices seen in the parliamentary system after 1996 would come to an end, however, it was shattered soon. In the constitution drafted by the Constituent Assembly comprising the representatives from the parties that had seen and been aware of all of those problems, it was written that the term of the parliament would be five years.

The parliament is considered as one of the important institutions exercising sovereignty. It ensures the important functions in the system of governance such as policy and law-making through management procedures. The House of Representatives of Nepal consists of a total of two hundred seventy-five elected members, among which one hundred and sixty-five are elected through first-past-the-post electoral system, with at least one member being elected from each constituency by dividing the country into one hundred and sixty-five constituencies based on population and geographical suitability and uniqueness, and one hundred and ten members are elected through the proportional electoral system in which votes are cast for political parties with the whole country being considered as a single electoral constituency.

The legislature is expected to play a vital role in the protection and promotion of fundamental rights enshrined in the constitution. Since the legislature is one of the constitutional bodies and the supreme body of peoples' representatives, laws formulated by it define the status and role of human rights. The kind of role the legislature plays to prevent the government and other different bodies from violating human rights, to discuss the issues of human rights, and to make the government accountable, helps the exercise and fulfilment of the constitutional rights.

As the legislature is the highest and sovereign body of peoples' representatives, the people's it plays an important role in the protection and promotion of human rights introducing different bills that protect people's fundamental rights in the parliament, bypassing bills by holding discussions and debates on issues of public concern, bypassing no-confidence motions against the governments and impeachment of heads of state that violate human rights, by pressurizing the government through the parliamentary obstruction, by raising voices for issues of public concern during zero hours in the parliament, etc. The parliament is the most important place for the people's representatives to address the policy to be adopted by the state, the decisions to be taken by the government, some urgent legal arrangements, and issues related to the livelihood of the citizens. The legislature also plays a vital role in protecting and promoting human rights by respecting the various human rights treaties, conventions, agreements, and interna-

tional norms ratified by the state and by enacting national laws based on these norms and international laws.

The post of the Deputy Speaker remained vacant till the end of this year as well. Constitutionally, the Speaker and the Deputy Speaker should be of different genders and from different political parties. However, the Deputy Speaker's selection process did not move forward throughout the year. The government did not take any step in this regard. The activities of the parliament to progressively work on the issues of livelihood were obstructed under various pretexts. The House of Representatives that had a tenure of five years was dissolved twice without completing its term. The functioning of the National Assembly was also affected in the absence of the House of Representatives. In the absence of the House of Representatives, the bills registered and reached to the National Assembly became null and void.

When the country was plagued by the pandemic of COVID-19, issues of public concerns used to be introduced and discussed in the parliament during zero hour sessions, which would alert the government to address the issues raised therein., However, this was hurdled by the power politics and unfair parliamentary schemes.

When the internal strife within the then CPN escalated, Prime Minister KP Oli dissolved the House of Representatives for the second time claiming that the current parliament failed to function significantly. The dissolution pushed the CPN into a decisive split that had been formed between UML and Maoists. The Prachanda-Madhav faction of the then CPN was agitated against the dissolution of the HoR. A case was registered in the Supreme Court against the dissolution of the House of Representatives. And on February 22, 2021, the court annulled the dissolution of the House of Representatives. But it was dissolved again on May 22, 2021 amidst disputes within the CPN (UML). The House of Representatives was dissolved for the second time due to the President's decision that both the claims for the post of Prime Minister did not meet the requirements.

The CPN (Maoist Centre), the then Madhav Nepal faction of the CPN (UML), the Nepali Congress, and the then Upendra Yadav faction of JSP went to the Supreme Court against the President's decision. The Supreme Court issued an order of mandamus on July 12, 2021, to appoint Sher Bahadur Deuba as the Prime Minister in place of KP Oli, stating that there was a majority of the members of the House of Representatives in favour of Deuba. The court annulled the dissolution of HoR for the second time. The court's order to get such a person sworn within certain hours created a kind of wave in the political and legal arena. Whether electing the Prime Minister is a function of the Supreme Court or the function of the HoR, it can be the subject of much discussion in the parliamentary history of Nepal. There is no doubt that the side effects of the order of mandamus of the Supreme Court will be seen in the future. The parliamentary system provisions apply party whips to the MPs elected from political parties, but the Supreme Court ruled that the MPs voting for Prime Minister Sher Bahadur should not be whipped. The CPN-UML blamed that the order helped the split in the party.

The Deuba-led government brought an ordinance on political parties and removed the provision of forty percent requirement in the Central Committee and the Federal Parliamentary Party for party division. This made it easier for the then Madhav Nepal faction of the UML to split the party. Under the leadership of Madhav Nepal, CPN (Unified Socialist) was registered in the Election Commission with the signatures of twenty-three MPs and fifty-three Central Members. On August 9, 2021, the Unified Socialists received a certificate of registration from the Commission. CPN (UML) had

expelled twenty-three lawmakers from the party before the registration of the Unified Socialists. Speaker Agni Prasad Sapkota refused to confirm the expulsion of those lawmakers, and a new party was registered in the Election Commission. CPN UML has been continuously chanting slogans in the parliament against the division of the party, saying it is illegal. The party has continuously been obstructing parliamentary affairs. This has reduced the effectiveness of the parliament. After the split in the CPN UML, the government withdrew the ordinance, which had a loose provision on party split.

Parliamentary Committees, their Meetings, and Decisions

Parliamentary committees are formed in order to assist the parliament in its regular functioning and provide necessary directives/recommendations to the government by monitoring and evaluating its work. In the context of widening the scope of the work of the government, the role of the parliamentary committee focuses on questioning the accountability of the government to the parliament by monitoring and evaluating the activities of the government[1].

Parliament performs its functions through parliamentary committees to save its time, simplify the working process, use expertise, and study the subject matter in depth. Since the issues within the jurisdiction of the committees are discussed in-depth, and the government is held accountable, the parliamentary committees are considered as specialized bodies of parliament or mini parliaments. Besides, they are also understood as workshops. The committee should perform various functions of recommending the government by discussing issues related to the bill, formulating policies, monitoring the government, functioning as a bridge between parliament, government, and the people, examining delegated legislation, controlling, examining revenue, expenditure, and public accounts, studying, researching, monitoring and evaluating government assurances and policies.

Article 97, sub-article 1 of the Constitution of Nepal has a provision that the House of Representatives and the National Assembly 'may form committees in accordance with federal law.' The parliamentary committee is also called 'mini parliament.' The committee also has to make the government accountable[2]. In a system of parliamentary practice, the parliamentary committee has the same role as the parliament. There are sixteen parliamentary committees under the federal parliament, including ten under the House of Representatives, four under the National Assembly, and two joint committees. However, the parliamentary committees in the role of monitoring, directing, and facilitating the functions of the government seemed ineffective[3]. The Public Accounts Committee, which is very powerful and is also seen as the opposition, has given various instructions to the government dozens of times on various issues since its formation as per the rules of the House of Representatives.

The committee has already given dozens of recommendations, including four on the 'wide-body' aircraft purchase case of the Nepal Airlines Corporation, ten on fixing sugar price, and five on settlement of public dues. However, none of these directives have been implemented. Another important committee of the House of Representatives, the Development and Technology Committee, has repeatedly given instructions to the government and concerned bodies regarding roads, contracts, infrastructure construc-

1. https://hr.parliament.gov.np/np/committees/State-Affairs-Committee
2. https://www.imagekhabar.com/news/20761/
3. https://www.imagekhabar.com/news/20761

tions, and national pride projects. However, not a single directive has been implemented so far. The situation is similar to implementing the directives given by another important committee- the State Management, and Good Governance Committee. The situation of the committees under the National Assembly is no different. The Sustainable Development and Good Governance Committee under the National Assembly had directed the concerned authorities to remove the old vehicles inside Singha Durbar. However, the directive has not been implemented so far.

The committees have repeatedly been calling the departmental ministers and high officials of the ministry for discussion and giving instructions. The state of implementation of the directive is deplorable. These are just some examples. The condition of the directives of all the committees under both the houses of the Federal Parliament is no different[4]. In paragraph 21 of the House of Representatives Rule, there is a provision to prepare a report on the related issue and submit it to the parliament and hold the culprit responsible if the directives given by the Parliamentary Committees are not implemented by the concerned body. However, the committees are failing in their own role. In order to make their role effective, the committees have to be able to monitor the implementation of the directives. Also, they have not been able to pressurize the concerned bodies for the implementation of the directives. Some of the committee's directives, of course, have been in dispute. The State Management Committee directed the Public Service Commission and the government regarding the advertisements made by the Commission for the local levels but the directive became controversial instead of being implemented.

Even the MPs in the committee do not seem serious about the committee. There are many instances where the meetings have been postponed due to the lack of quorum resulting from the absence of the MPs even in the forum called to discuss some important issues. Similarly, the top-level party leaders have not shown much interest in the committee as well. Some people comment that even the government has not shown its interest in implementing the directives given by the committee as the top leaders themselves are not present in the committee meeting, and the committees themselves have not been able to rise above partisan interests.

The Education and Health Committee of the parliament directed the government to repeal the SEE exam. The meeting of the committee issued another directive to implement the directives given by the committee to repeal the SEE on June 10, 2020[5]. The committee had said on June 11, 2021, "The decision of not conducting the SEE examination for this year is appropriate given the crisis caused by COVID-19 pandemic. Since the constitution and the laws have prescribed education up to grade 12 as school-level education, the SEE examination that has been stopped for this year shall be discarded forever and law shall be promulgated ensuring examinations for grade 10 to be conducted from local level, and grade 12 to be determined as a National level examination.

The same meeting also drew the attention of the Ministry of Education to provide remuneration to the elementary teachers who have not received full remuneration. The committee has urged the government to soon bring the federal education bill to the parliament. Regarding the medical colleges, the committee has directed the government to solve the

4. https://www.imagekhabar.com/news/20761/
5. https://nayapatrikadaily.com/news-details/77231/2021-12-24<fbclid=IwAR0MBxsW3Detn_vPnEtysNqLKw07GFT1Ro-wrgJZn_2mTuVWXniS_WZ0-jc

problem regarding the medical colleges charging higher fees.

A meeting of the Development and Technology Committee of the House of Representatives held on September 26, 2021, directed the government to repair the roads damaged by the rains before September 26, 2021. The committee meeting held at Singha Durbar directed the Ministry of Home Affairs and the Ministry of Physical Infrastructure and Transport to immediately complete the construction of roads damaged due to rain. The chairperson of the committee Kalyani Kumari Khadka stated regarding the COVID-19 pandemic that, the meeting gave directives to the Ministry of Transport to make effective monitoring of various issues like keeping passengers in the vehicles according to the seating capacity, affixing long-distance fares to visible places, removing physical ticketing system and planning for online ticket booking and some discounts on the ticket fare.

According to Chairperson Khadka, the committee has directed the Ministry of Transport to make necessary arrangements for immediate review of the criteria that has the provision of implementing the projects costing more than five hundred million rupees as annual projects because this criterion is impractical and due to these criteria various projects necessary for infrastructure development will not be implemented.

The lawmakers did not show their interest in the meeting of the Agriculture Committee convened to discuss the serious issue of damage to the paddy crops of the farmers[6]. According to the government's data, unseasonal rainfall for three days simultaneously in the third week of October had damaged paddy crops worth eleven billion eight hundred and seventy million rupees. However, the members of the Agriculture, Cooperatives and Natural Resources Committee of the Parliament, with the responsibility of taking concerns of the farmers and their problems, and giving instructions to the government on those issues, seemed irresponsible towards them.

A meeting of the committee had been convened to discuss the damage caused to the paddy crop. Minister for Agriculture Mahindra Raya Yadav, who was invited for the discussion, arrived at 11:10 am. Ministry secretaries, deputy secretaries, and other staff were present on time. However, the meeting was adjourned due to a lack of quorum as seventeen MPs out of twenty-one were absent. The minister waited for fifty minutes and returned.

Paddy production is expected to decline by up to some percent and rice imports are expected to increase further. However, it is a mockery for the farmers and the agriculture sector that the parliamentarians are not interested in holding a meeting on such a crucial issue. Minister Yadav also expressed dissatisfaction over the failure of the committee meeting. He said: "The meeting was summoned to discuss the impact of unseasonal rains on agriculture. I was planning to talk about the government's preparations, but the meeting could not take place. According to the rules of the House of Representatives, if the meeting is adjourned twice in a row without fulfilment of the quorum, the third meeting may be held in the presence of at least one-fourth of the members. The chairperson should inform the Speaker about this.[7]

A team of parliamentarians, including the chairperson of the National Assembly, conducted an on-site/field study of eight districts in Province Two and Morang and Sunsari districts in

6. https://www.nayapatrikadaily.com/news-details/73863/2021-11-01<fbclid=IwAR3oD63l-WML3AmD7rhb5M6u7ZroyEM9n-0nra61s9-D-vdp1pXHtWs1W9cE
7. https://www.nayapatrikadaily.com/news-details/73863/2021-11-01<fbclid=IwAR3oD63l-WML3AmD7rhb5M6u7ZroyEM9n-0nra61s9-D-vdp1pXHtWs1W9cE

Province One and prepared a report. The report offers immediate, short-term, and long-term recommendations. In the report, there are long-term recommendations including the development and implementation of a master plan for a long-term solution of the problems related to flooding and inundation in Terai Madhes, complete prohibition of encroachment of Chure as Terai Madhes would be seriously affected by the exploitation of Chure, and search of alternative sites for necessary resources after study, preparation, and implementation of a long-term plan for the protection of Chure region[8].

Parliamentary Hearing

Parliamentary hearing is a process of ensuring accountability of the executive towards legislature in the course of appointment of the proposed officials based on the evaluation of their capacity, competence and honesty. Article 292, sub article 1 of the constitution of Nepal enshrines that the parliamentary hearing shall be conducted for the appointment of the Chief Justice, Judges of the Supreme Court, members of Judicial Council, chiefs and members of the Constitutional Bodies, appointed on the recommendation of the Constitutional Council under the Constitution, and the ambassadors, as per the Federal law.

Sub Article 2 enshrines that a fifteen-member joint committee shall be formed consisting of members from both the Houses of the Federal Parliament and Sub Article 3 refrains the member of the thus formed joint committee from practising law in the Supreme Court during their tenure.[9]

The meeting of the Parliamentary Hearing Committee under the Federal Parliament was held on Monday, December 6, 2021. A meeting of the committee was held to conduct the hearing of the proposed ambassadors. At the meeting, Congress MP Pushpa Bhusal said that adequate discussions should be held before issuing a notice of complaints. During the meeting, UML MP Suman Raj Pyakurel raised the issue of inclusion in the appointment of ambassadors. The committee meeting directed the government to pay attention to inclusion in appointing the remaining ambassadors[10].

Chairperson of the committee, Laxman Lal Karna, informed that the meeting of the Parliamentary Hearing Committee on December 6, 2021, unanimously approved the names of the three proposed ambassadors. The committee sought information from Shankar Sharma, the proposed ambassador to India, Gyan Chandra Acharya, the proposed ambassador to the United Kingdom, and Shreedhar Khatri, the proposed ambassador to the United States, about their experiences, qualifications, and concepts. The cabinet meeting held on October 28, 2021 had recommended Acharya as the ambassador to the United Kingdom, Sharma as the ambassador to India, and Khatri as the ambassador to the United States. The parliamentary hearing committee had given ten days to file a complaint against the three proposed ambassadors. There was only one complaint, which was about the issue of inclusion[11].

8. https://na.parliament.gov.np/uploads/attachments/wocvxax2frryndi1.pdf
9. Constitution of Nepal, Article 292 (1) (2) and (3)
10. https://www.nayapatrikadaily.com/news-details/73863/2021-11-01<fbclid=IwAR3oD63l-WML3AmD7rhb5M6u7ZroyEM9n-0nra61s9-D-vdp1pXHtWs1W9cE
11. https://www.himalkhabar.com/news/127013

Fifty-five Bills Undecided[12]

The main opposition party CPN UML took the policy of obstructing the parliament in the budget session that started in July 2021. On the very first day of the session, the UML alleged Speaker Agni Prasad Sapkota for not confirming the expulsion of fourteen UML lawmakers, including Madhav Kumar Nepal, from the party, and continued sloganeering in the parliament, saying that they would keep obstructing the parliament until the party does not get a satisfactory answer from the Speaker. Even on October 28 2021, the day the session was prorogued, the UML kept chanting slogans in the House of Representatives.

During 52 days between September, 8 to October 28 2021, twelve meetings of the House of Representatives and seven sessions of the National Assembly were held. In all of the meetings of the parliament, the UML lawmakers remained silent in the National Assembly and shouted slogans in the House of Representatives. The UML lawmakers demanded that Speaker Agni Prasad Sapkota should affirm the expulsion of fourteen lawmakers from the party. In every meeting, Speaker Agni Prasad Sapkota maintained that the issue was sub-judice in the Supreme Court[13].

Speaker Sapkota initiated the dialogue after continuous obstruction of sessions of the parliament. A meeting of the parties representing the parliament was held by the Speaker on June 11, 2021. But the UML did not participate in the meeting. After that, the budget bill was passed ignoring the slogans of the UML. Soon after which, Prime Minister Sher Bahadur Deuba tried to run the parliament by convincing the UML.

Minister of Law, Justice, and Parliamentary Affairs Gyanendra Bahadur Karki was repeatedly sent to Balkot, Bhaktapur to meet the UML Chairperson KP Sharma Oli. An all-party meeting was held on September 14, 2021, but the UML did not attend it. After that, the government did not initiate further dialogue with the UML. Instead, the parliamentary session was prorogued.

The lawmaking process was also obstructed with the dissolution of the House of Representatives twice and the subsequent obstruction in the reinstated House of Representatives. There are fifty-five bills under consideration in the parliament, which are related to the issues of implementation of the constitution and the direct concerns of the people. However, the government did not or could not pay attention to the business in the parliament. Instead, the government withdrew two bills that were already been debated in the parliament.

The government withdrew the Federal Civil Service Bill, which was presented to the House of Representatives by the Committee on State Management and Good Governance Committee of the Parliament after two-year long clause-wise discussions, and the Railway Bill, which had been passed by the National Assembly and presented to the House of Representatives.

According to the Federal Parliament Secretariat, there are currently fifty-five bills under consideration in the Federal Parliament. Forty-two bills are in the House of Representatives and thirteen in the National Assembly. Of these, twelve bills registered in the House of Representatives and three bills registered in the National Assembly have not even

12. https://www.onlinekhabar.com/2021/10/1031242<utm_source=Facebook&utm_medium=FBpage1&fbclid=IwAR3_ViSqL27B-t_8DJrFYoBNK40NpEkYQsl7AwdVKvpU2WHgZF4wnCr-LGs
13. https://www.onlinekhabar.com/2021/10/1031242<utm_source=Facebook&utm_medium=FBpage1&fbclid=IwAR3_ViSqL27B-t_8DJrFYoBNK40NpEkYQsl7AwdVKvpU2WHgZF4wnCr-LGs

Ordinances Enacted This Year		
SN	**Date**	**Ordinance/Bill**
1	February 5, 2021	Commission for Investigation of Disappeared Persons, Truth and Reconciliation (Third Amendment) Ordinance, 2021
2	May 4, 2021	Ordinance to Amend Some Acts against Sexual Violence, 2021
3		Ordinance to Amend Some Acts Related to Criminal Offenses and Criminal Procedures, 2021
4		Medicine (Third Amendment) Ordinance, 2021
5		Constitutional Council (Functions, Duties, Rights, and Procedures) Ordinance (First Amendment) Ordinance, 2021
6		Social Security (First Amendment) Ordinance, 20721
7		Nepal Police and State Police (Operation, Supervision and Coordination) (First Amendment) Ordinance, 2021
8		Acid and Other Hazardous Chemicals (Regulation) Ordinance, 2021
9	May 5, 2021	Railway Ordinance, 2021
10	May 20, 2021	Ordinance Relating to Oath, 2021
11		COVID-19 Crisis Management Ordinance, 2021
12	May 23, 2021	Nepal Citizenship (First Amendment) Ordinance, 2021
13	May 29, 2021	Financial Ordinance, 2021
14		Appropriation Ordinance, 2021
15		National Debt Collecting Ordinance, 2021
16	June 6, 2021	Ordinance on the Security of Health Workers and Health Institutions (First Amendment) Ordinance, 2021
17	August 18, 2021	Ordinance on Political Parties (Second Amendment) Ordinance, 2021
18	September 23, 2021	Appropriation Bill, 2021
19	September 29 2021	Finance Bill, 2021
20		National Debt Raising Bill, 2021
21	December 1, 2021	Ordinance to Amend Some Acts against Sexual Violence, 2021
22		Ordinance to Amend Certain Acts Relating to Criminal Offenses and Criminal Procedure, 2021
23		Nepal Police and State Police (Operation, Supervision and Coordination) (First Amendment) Ordinance, 2021
24		Acid and Other Hazardous Chemicals (Regulation) Ordinance, 2021
25		Social Security (First Amendment) Ordinance, 2021
26		Railway Ordinance, 2021

been floored. After the bill is registered, there is a legal provision to present it in the assembly, pass a resolution to consider the bill, hold a theoretical discussion and send it to the parliamentary committees for clause-wise discussion. The lawmaking process in the parliament is completed when the parliamentary committees present the bill in the House after clause-wise discussion, and both houses complete the same process. But there are many bills in the parliament that were just registered.

The government should take more responsibility than the parliament as it is the duty of the government to convene the meeting of the parliament. The government should give business to the parliament. In other words, although the parliament is the lawmaking body, the government should prepare its draft and present in the parliament the kind of laws that should be promulgated. However, this did not happen for one year. Although there is a constitutional and legal provision to issue an ordinance when the parliament is not in session, there is a suspicion that the country will be governed by the ordinance when the ordinance is brought with the sudden end of the parliament. Article 93 of the constitution states that the President shall convene and end the parliamentary sessions. Sub article 2 of Article 66 states that the President must function on the recommendation and consent of the Council of Ministers. The government made recommendations to the President without consulting the parliament on when to summon and end the session. It seemed that the government and the parliament were not in the right mood when the parliament was prorogued after the Speaker fixed the date for the next meeting of the session.

In a democracy, the electorate/voters elect the parliament, and the parliament must make laws and raise issues of livelihood of the people in the parliament and get it implemented by the government. However, only two bills have been ratified in a year, according to the website of the President's Office[14]. Legal actions seem to have been taken through ordinances. The last time an ordinance was issued to amend the Citizenship Act was just two days after the dissolution of the House of Representatives on May,21 of 2021. However, the Supreme Court issued an interim order not to implement the ordinance. More suspicion arose when the Citizenship Act, which had been in the parliament since August 17, 2018, was issued as an ordinance just after the dissolution of the parliament. On September 27, 2021, Prime Minister Sher Bahadur Deuba recommended repealing the Political Parties (Second Amendment) Ordinance, 2021, brought on August 18, 2021, after the split in two parties. It was found to have mocked the rule of law.

Bills from the second session of the federal parliament have stalled due to the inability of the parliament to make laws. Two bills registered in the second session, seven in the third session, twelve in the fourth session, seventeen in the fifth session, and fourteen in the sixth session are under consideration in the federal parliament. Three bills were registered in the National Assembly after the sixth session. In the ninth session of the House of Representatives, no bill was brought to the parliament except budget and budget-related bills. Two bills have been registered in the tenth session of the National Assembly. Thus, fifty-five bills are under consideration in the Federal Parliament. But the government recommended ending the parliamentary session leaving all of these bills stranded.

14. https://president.gov.np/category/%e0%a4%aa%e0%a5%8d%e0%a4%b0%e0%a5%87%e0%a4%b8-%e0%a4%b5%e0%a4%bf%e0%a4%9c%e0%a5%8d%e0%a4%9e%e0%a4%aa%e0%a5%8d%e0%a4%a4%e0%a4%bf/

Repealing the Ordinances
July,18 2021

- Constitutional Council (Work, Duties, Rights, and Procedures) Ordinance (First Amendment) Ordinance, 2021
  September 27, 2021
- Political Parties (Second Amendment) Ordinance, 2021

Zero Hour and Special Hour

The zero hour plays a vital role in the country with a British style parliament. By providing an opportunity to participate in the discussion without any requirement of formal notice, this system respects the freedom of speech of the Parliamentarians. It further gives opportunity to them to raise the issues relating to corruption, human rights violation, complaints and problems faced by the citizens, abuse of authority, economic instability etc. This time is considered to be crucial from human rights perspective. Opposition parties protested against the disagreeable activities of the ruling party and also pointed out that the government is reluctant to address the problems faced by the citizens, at this time. Both, small and big opposition parties were noted to be active throughout the discussion. Issues of delay in relief distribution, corruption, measures to combat COVID-19, violence against women, unemployment, discrimination against Dalits and issues related to natural calamities were strongly raised in the discussion.

The discussion held inside the legislative parliament is recorded only after the order from the Speaker of the house because of which, it becomes difficult to evaluate the role of the Parliament at times. However, zero hours and special-hour are progressively used as a forum to address the concerns of the citizens. Commitment from the government is rarely seen in the issues raised in the zero hours. It has merely become a formality. Despite being urged to address and implement the issues raised in the zero hour the issues remain unaddressed due to ignorance from the government.

Skipping Meetings: A Typical Trend

Many complaints and dissatisfaction were expressed on the character of the legislative parliament this year. Meetings of the parliament were frequently postponed due to the tendency of skipping the meetings among the MPs and non-fulfilment of the quorum. Preachers of good governance faced a whole lot of criticisms after failing to fulfil their commitments. Politicians from big political parties were mostly absent in the meetings. The valuable time of the parliament went in vain and many crucial bills remained undecided.

Weakening of the Parliamentary Activities

Parliament, which had twice been dissolved, was restored following the order of mandamus of the Supreme Court. Due to the inactivity of the official representatives of the sovereign Nepali people, the country could not even feel to have a parliament. Even when the country was in a critical situation, the voices of the parliamentarians were not heard. It is being felt whether attempts have been made to prove representative democracy unsuitable by making the House of Representatives ineffective for a long time[15].

The party leaders 'used' the lawmakers only for the purpose of forming and overthrowing the government. The lawmakers themselves seemed to be enjoying being used.

The judiciary is in crisis. Floods, landslides, and inundation caused problems for people all over the country. De-

15. https://baahrakhari.com/news-details/332243

velopment works are mostly stranded. In such a situation, the people could be disgusted with democracy when they see their representatives watching the show.

Rule of Ordinance

President Bidya Devi Bhandari repealed the ordinance brought by the government to facilitate party split. The Political Parties (Second Amendment) Ordinance, 2021 AD, issued on August 18, 2021, had a provision that the party could be split by twenty or more percent members of parliamentary parties or the members of the Central Committee. The government had abruptly ended the session of the House of Representatives on August 16, 2021, and recommended the ordinance on August 17, 2021. At that time, Prime Minister Sher Bahadur Deuba had three objectives: to split the main opposition party, the CPN (UML), to get a majority in the House of Representatives, and to pass the budget.

As soon as the ordinance was ratified by the President on August,18 2021, Madhav Kumar Nepal split the CPN UML and registered the CPN (Unified Socialist) under his own leadership. Twenty-three members of the House of Representatives and eight members of the National Assembly of the CPN UML chose the Unified Socialist Party. At the same time, the government gained a majority in the parliament; otherwise, sixty-one MPs from the ruling party, the Nepali Congress, forty-nine from the UCPN (Maoist), and eighteen from the Janata Samajwadi Party would have been insufficient for a majority in the two hundred and seventy-one-member House of Representatives.

The government convened a parliamentary session on September 8 2021, and the ordinance on political parties was tabled in the House of Representatives. A bill to replace the budget ordinance was tabled, and all of the budget-related bills were passed with the majority by both of the houses on September 27, 2021, amidst the slogans of the parliamentarians of the main opposition party.

Conclusion

May 21, 2021, will be marked as a very remarkable day in the political and parliamentary history of Nepal. On that day, the lawmakers of their own party did not give a vote of confidence to the leader of the parliamentary party of their own party for the continuation of the post of Prime Minister. An incident like this had never happened before. On that day in the House of Representative, twenty-three lawmakers of the CPN UML, including Madhav Kumar Nepal, the then senior leader, and a member of the party's parliamentary party, voted against the motion for vote of confidence to the leader of their own parliamentary party. Similarly, Madhav Kumar Nepal and those close to him had handed over their signatures to President Bidya Devi Bhandari, asking her to appoint Sher Bahadur Deuba, the leader of the Nepali Congress parliamentary party, as the prime minister of Nepal. President Bhandari did not appoint Deuba as the Prime Minister on May 21 2021; rather, she approved the cabinet's recommendation for the dissolution of the House of Representatives at midnight[16].

Due to the tensions and strife within the political parties, the function and business of the parliament could not be effective this year. The issues raised in the parliament were not given importance and were not addressed. Instead, the act of issuing the ordinance by deceiving the parliament was enforced. Bills that had been under consideration for a long time remained unresolved. Issues such as low turnout in the parliament, Constituency Development Fund, and long-standing obstruction of the parliament were also condemned this year. The legitimacy of the

16. https://ekagaj.com/article/editorial/27064/

directives and decisions made by the parliamentary committees was questioned as to the practice of giving directives by the parliamentary committees but not fulfilling by the concerned bodies persisted. Parliamentary activities took place for a year without the Deputy Speaker.

Parliament elected for five years was dissolved twice. Just as the parliaments after 1991 had become victims of political tactics and manipulation, the same fate was repeated this time too. Some political parties and prominent personalities termed the dissolution of the parliament a constitutional coup. There were also groups that interpreted the dissolution of parliament as a political right of the prime minister. The Supreme Court annulled both the dissolutions. Although the issues of the dissolution of parliament and fresh mandate would be common in a democracy, the Nepali people, fed up with the parliamentary malpractices and unethical activities of the past, were in favor of political stability. The consequences of the Supreme Court's order of mandamus to appoint someone in the position of the Prime Minister within a fixed hour will have to be faced by the people of Nepal in the future.

Chapter 3

3.1 Economic, Social and Cultural Rights of the Locals of Sri Lanka Island

Background

Sri Lanka Island is located at the borderline of Sunsari and Udaypur district, where the economic, social, and cultural rights of the locals are restricted in various ways. Sri Lanka Island expanding to Ward number 6 and 9 of Barahakshetra Municipality, Sunsari, is situated between the eastern and western sub-streams of the Saptakoshi river since 1963. One can reach Sri Lanka Island by crossing the mainstream from the eastern embankment Prakashpur of Saptakoshi and moving ahead about three kilometers towards the west. It is extended widely up to the distant range from the visible horizon where the concerns of economic, social, and cultural rights of the locals are far from state's reach. The population of Sri Lanka Island, counting more than 12 thousand, have not felt the presence of the state to its access.

Sri Lanka Island covering about half of the total area of Ward number 6 and 9 of Barahakshetra Municipality, is situated in a distinct geographical peculiarity after restructuring of the state. When this area was divided into Ward number 6 and 9 of Barahakshetra Municipality, the local people had to travel by boat for several hours to reach Barahakshetra Municipality Office and obtain the basic services from the state. The situation of the inhabitants of this place regarding the issue of economic, social, and cultural rights like right to education, food, housing, drinking water, sanitation, employment, social security is very critical. This article is oriented to explore the issue of whether the local people of Sri Lanka Island have been able to duly enjoy the right to self-determination, right to equality, right to gender equality, right to employment, right to live in clean environment during the working hours, right to social security along with social insurance, right to livelihood, food, clothing, housing, education and other concerns of economic, social and cultural rights.

Sri lanka Island, which is situated on the riverbank of the country's biggest river, Saptakoshi and within the periphery of the buffer zone of the country's smallest reserve, the Koshi Tappu Wildlife Reserve, can be regarded as a remote area. Koshi Tappu Wildlife Reserve, established in 1975 and enlisted as a wetland in 1987, is recognized as a buffer zone. Since Sri Lanka Island is attached to the Koshi Tappu Wildlife Reserve, covering an area of 175 square kilometers, the local people have to face troubles caused by the buffer zone rather than enjoying facilities. This article includes the issues relating to the human rights of more than 12 thousand people of Sri Lanka Island who are facing trouble in their access to the Ward Offices of Ward No. 6 and 9 of Barahakshetra Municipality, and the inconveniences faced by the communities in terms of enjoyment of the economic, social and cultural rights (right to education,

health, food, housing, employment, and social security).

Objectives of Study

- To identify the problem of faced by the locals residing in Sri Lanka Island.
- To analyze the dispute between Sri Lanka Island and buffer zone along with the implementation status of the commitments.
- To identify Sri Lanka Island's existing problems and offer necessary recommendations to the Local, Provincial and Federal Governments.

Methodology of the Study

Both primary and secondary sources of data have been used in the course of this research. The primary source includes the study of the situation of Sri Lanka Island from 1963 to the present eroded by the Saptakoshi river, interviews with the local people residing in the borderline of Udaypur and Sunsari districts, different organizations and associations, government agencies, teachers, and health workers, local representatives, representatives of political parties and those of NGOs, focus group discussion, interview with the experts and public opinion. The secondary source includes articles on disputes and the commitments on Sri Lanka Island and the buffer zone, various documents, online media, study reports, Acts and laws of the country, and international provisions. Efforts have been made to analyze the Economic, Social, and Cultural rights and the situation of locals residing in Sri Lanka Island through dialogue, discussion, interview with the stakeholders, verification of checklist, and the study of Municipality Profile published by the Barahakshetra Municipality.

Limitation of the Study

- This research is limited to the study of the situation of Sri Lanka Island within Sunsari District.
- The research is oriented to study the implementation status of commitments made by the state after the declaration of the buffer zone and Sri Lanka Island.
- The study explores the issues of whether the Economic, Social, and Cultural rights of the locals residing in Sri Lanka Island, including their right to education, health, food, housing, employment, and social security, are guaranteed or not.

Significance of the Study

Sri Lanka Island covers about half of the total area of Ward number 6 and 9 of Barahakshetra Municipality, where the indigenous Chandrabamshi of the Madhesi community consisting of different ethnic groups like Mehata, Yadav, Sah, etc. and Chhetri, Bramhin, Magar, Rai, and Limbu of Pahade community are living together. Belaka Municipality of Udaypur District surrounds the western part of the town. This town, surrounded by the Saptakoshi river, is very far from the reach of the government. The voters of the Island have to visit Brahakshetra, to the east of Saptakoshi, to enjoy their voting rights at the time of election. The inhabitants of Sri Lanka Island complain that the Barahakshetra Municipality has not treated them as its own municipal citizens. Since the Ward Offices of Ward number 6 and 9 are located across the Koshi river, the inhabitants of Sri Lanka Island are compelled to visit the respective Ward Office for registration of their personal events either by full-day boating or via Belakha Municipality of Udaypur District.

The locals are deprived of their constitutionally guaranteed fundamental rights, including right to education, health, food, housing, employment, and social security. This study is significant to identify the problems and give suggestions to the concerned authorities, which would help guarantee the human rights of

the inhabitants of Sri Lanka Island by implementing the legal provisions regarding the operation of development activities and making the fundamental rights easy accessible. The study also has its significance to reveal the existing problems of Sri Lanka Island and draw the attention of the Provincial and Local Governments to combat the same.

Problems

- Since the Island is located at the bank of Saptakoshi river and the respective Ward Offices are located across the Koshi river, the locals face inconvenience in traveling to obtaining government services.
- Since the inhabitants of Sri Lanka Island are required to cross the Saptakoshi river by boat even in the monsoon, they have to put their lives at risk.
- Crops grown by the locals are unsafe due to the wild animals of Koshi Tappu Wildlife Reserve, and their right to food is on stake.
- Since the temporary Health Post lacks the minimum physical resources, the right to health of people has not been duly addressed.
- Since most of the senior citizens have not acquired their citizenship certificate, they are deprived of the social security allowance.
- There is a shortage of resources to meet the basic needs, including water supply.
- Since the area of Sri Lanka Island lacks the presence of Local Government and security forces, the citizens have not felt the presence of the government at all.

Problem and its Consequence

The Koshi Treaty was signed on April 24, 1954, by the then Planning, Development, and Land Reform Minister, General Mahabir Shumser J.B.R. on behalf of Nepal and Minister for Planning Gujarilal Nanda on behalf of India during the tenure of the then Prime minister Matrika Prasad Koirala. When the Koshi river diverted its flow direction eroding to the east by leaving the bottom of the hill of Udaypur district from 1962, the local people being settled in the land with an area of 8 thousand 6 hundred *bighas* at Ward number 4 and 5 of the then Prakashpur Village Panchayat were adversely affected. India did not implement her commitment made in the Treaty, and the local people of Ward number 6 and 9 of Barahakshetra Municipality at present (the inhabitants of Sri Lanka Island) were deprived of their Economic, Social, and Cultural rights, including right to education, health, food, housing, employment, and social security.

India had made a commitment to address the fundamental rights of the citizens residing within the areas up to three kilometers towards the north and three kilometers towards the south from the Koshi barrage, but the Indian government did not implement the commitment. When the flow of water increased in 1983, the then government had made an effort to resettle the affected five thousand families presently residing in Sri Lanka Island led by *Pradhanpancha* of Prakashpur Village Panchayat Padam Khadka to Kanepokhari of Morang District (presently Kanepokhari Rural Municipality) and Jalthal of Jhapa District (presently Haldibari Rural Municipality), but it was not implemented.

Buffer Zone where Land Revenue is Levied as Registered Land from the Locals

The government declared the Koshi Tappu Wildlife Reserve extended to the area of 175 square kilometers as Buffer Zone in 2004. Buffer Zone refers to a specified area around the National Park or Reserve that provides local people with the facilities of regular use of the wild products. It is the provision that since the wildlife tends to frequently move into

such areas, the land-use of such sites must be wildlife-friendly. Such provision was commenced in Nepal in 1993 after the amendment of the National Park and Wildlife Protection Act, 1973. In addition to the forest area, land-use of the buffer zone has been designated for agricultural and residence purpose. For the management of such an area, the National Park and Wildlife Protection Act, 1973 has provisioned that the concerned National Park or Reserve is entitled to expend up to 30 to 50 percent of the income earned by the Park or Reserve. But the inhabitants presently residing in Sri Lanka Island could not yet enjoy such 30 to 50 percent income from the Buffer Zone, although they are regularly paying the land revenue of their registered land being included in the Buffer Zone of the Koshi Tappu Wildlife Reserve from 1983 to the present. This resulted in a failure to address the Economic, Social, and Cultural rights of the inhabitants presently residing in Sri Lanka Island. The landowner is still paying the land revenue of his land despite the Koshi river flowing in his registered land from 1983 - says a local resident Prakash Chandrabamshi. When the Koshi river entered into the registered land from 1983, the government provisioned to provide land as a compensation on the condition that the landowner shall have to produce an evidence of payment of land revenue; but he has not yet obtained the compensation although he has continued to pay the land revenues, says Binod Mandal residing in Sri Lanka Island. Most of the inhabitants of Sri Lanka Island, namely Jabaharlal Sah, Ramlal Yadav, Bishnu Urdu, Jyoti Chandrabamshi, are such persons who are paying the land revenue of their registered land where the Koshi river is flowing.

The Constitution of Nepal and the Economic, Social, and Cultural Rights

The Constitution of Nepal has ensured the human rights accepted by the civilized society as fundamental rights. The fundamental rights have been enshrined under Article 16 to Article 47 in Part 3 of the Constitution. Among the rights guaranteed in the Constitution, the fundamental rights of Economic and Social in nature have been made more comprehensive. The fundamental rights of Economic and Social in nature like the right to equality, right to property, education, health, food and social justice are provisioned under Article 18, 25, 31, 33, 35,36 ad 42 of the constitution respectively.

Conclusion of Study

- The Federal, Provincial and Local Government have failed to ensure the constitutionally guaranteed fundamental rights to the local people residing in Sri Lanka Island.
- The state has failed to ensure rights to education, right to health, food and housing to the inhabitants of Sri Lanka Island.

Recommendations

- The Federal, Provincial and Local Governments should emphasize on the implementation of the fundamental rights.
- The issue of the right to education, health, food, and housing of the inhabitants of Sri Lanka Island should be addressed immediately.
- The Government of Nepal should take diplomatic initiation and hold a discussion with the Government of India regarding the implementation of the Koshi Treaty.
- The state should formulate policy and plan for a long-term and sustainable solution to the problem.
- State shall be pressurized to permanently sole the problems face by the deprived inhabitants of Sri Lanka Island in consonance with the constitutionally guaranteed fundamental rights, Universal De claration of Human Rights, and the Treaties and Protocols signed by Nepal.

- The state should execute policy measures like budget, social security, and affirmative actions and bring the inhabitants of Sri Lanka Island to the mainstream of the state.

References

1. Nine core treaties of Human Rights, 4th edition, INSEC, 2019.
2. Instruction Source Booklet, International Covenant for Advocacy to Economic, Social, and Cultural Rights, Forum for Human Rights and Democracy (FORD), 2012.
3. Factual Detail of Barahakshetra Municipality, 2018.
4. Himal Khabarpatrika, 2021 April-May
5. Nepal Kanun Patrika, July 9, 2008.
6. Gorkhapatra Online, September 5, 2019.
7. The Constitution of Nepal, 2015.

Chapter 3

3.2 Increasing Discrimination against the Dalit Community

Background

Among the seven Provinces in Nepal, Madhes Province has the highest number of Dalits. According to the Madhes Provincial Assembly Election Procedure, 2017 Schedule 15, the population of the Dalits in Madhes Province is 17.29 percent. The Dalit community is lagging because they do not have access to education, employment, and politics. Policies and laws have been formulated to end caste-based discrimination and untouchability at national and international levels. But in the absence of effective implementation of these policies and laws by the concerned state mechanisms, there has been a continuous rise in violence, including caste-based killings, rape, beatings, insults, and abuses.

Madhes Province witnesses higher cases of caste-based discrimination and untouchability than any other province. However, there are hindrances to justice for the victims of caste-based discrimination and untouchability: registration of the cases in public bodies is delayed, the investigation process is ineffective, and justice to victims is vague. Due to these conditions, members of the Dalit communities are forced to live amid caste-based discrimination.

According to the Annual Publication of INSEC, Nepal Human Rights Yearbook, 778 individuals were victims of the violation of economic, social and cultural rights and were discriminated against castes. The highest number among them,188, were of the Dalits community. It is 24.16 percent of the total.

Even today, society doesn't accept inter-caste marriages. The killings of Dalit youngsters because of marrying outside of their caste have been publicly reported. Many couples and their families have been leading harsh lives due to social exclusion. The government declared providing NPR 100,000 cash incentive for non-Dalit individuals marrying Dalits in the budget of the fiscal year 2009/10 under poverty alleviation and inclusive program. But this program was shut down within a year though it was welcomed by the majority of Dalits and protested by many non-Dalits[1].

It is the state and concerned authorities' responsibility to protect, promote and fulfil the human rights of its citizens The state and its mechanisms are liable to guarantee the human rights ensured by the laws of the constitution.

The victim's right to justice should be ensured by bringing the perpetrators of human rights violation within the legal proceeding. But various cases prove that fundamental difference concerning caste-based discrimination and untouchability against the Dalits is yet to be seen even

1. Why was the cash incentive for marriage between Dalit and non-Dalit removed? https://www.himalkhabar.com/news/124715

after six years of implementation of the constitution.

National and International Policies and Legal Provisions

Article 2 of the Universal Declaration of Human Rights mentions non-discrimination against race, religion, colour, or any other status. The International Convention on the Elimination of All Forms of Racial Discrimination, has embraced the key concept that all races are equal in front of law. As a party to this Convention since 1971, Nepal has accepted the provisions of the Convention through the Constitution of Nepal, and the Caste Based Discrimination and Untouchability (Offense and Punishment) Act, 2011.

Among 31 fundamental rights ensured by the Constitution of Nepal, 2015, two articles focus on the Dalits. Article 24 relates to Right against Untouchability and Discrimination, and Article 40 enshrines Dalit Rights as fundamental rights.

The Madhes Province government has introduced Dalit Empowerment Act. The Act envisions caste-based discrimination and untouchability monitoring committee at the provincial level to study and monitor cases and implement, oversee, control, and supervise laws against caste-based discrimination and untouchability.

Analysis of the Problems

Discrimination against the Dalits is existent because they do not have access to State mechanisms. The Dalits have minimal access to State mechanisms. Even in the 21st Century, caste-based discrimination and untouchability cases are reported in the Madhes province. Most cases of caste-based discrimination and untouchability are suppressed in the villages. Some of them approach the law enforcement agencies to seek justice but are denied registration. Because of this, members of the Dalit communities are forced to live in the villages amid caste-based discrimination. A majority of the cases against the Dalits are not investigated. There are problems in collecting evidence in cases related to caste-based discrimination and untouchability. Although some cases are investigated and reach the court, they are made feeble.

The Ministry of Home Affairs has ordered the Nepal Police Headquarters to set up a help desk which provides services, ensuring access and respect to Dalit community. However, that order has not been implemented in the police offices.

Three Dalits have suspiciously died in Police custody in the last two years. One death occurred in Rautahat because of the brutality of the Police, and although the police administration reported that two individuals committed suicide, their family members claim the victims died of the police brutality. The government has provided relief to the family members of individuals that died in custody, but the deaths in custody have not been effectively investigated. The families of the victims are yet to get justice.

Objectives of the Study

- To study and analyze the state's behaviour towards the Dalit community and increasing discrimination
- To study and analyze the implementation of existing laws, and national/international policies

Relevance of the Study

The state has been indifferent to the issues of complete proportional representation of the Dalits. There is no effective implementation of laws even when individuals from the Dalit community suffer various forms of violence, torture, and inhumane acts associated with caste-based discrimination and untouchability. It is because the state has not been able to accept the good aspects of the Federal Democratic Government and also because self-centred views still dominate the soci-

ety. Dalits are forced to endure discrimination and untouchability because the police administration does not easily register and facilitate the investigation process in cases against the Dalits.

Even today, the Dalits face untouchability and insult based on caste. They are killed due to inter-caste marriages and are excluded from the society. The Dalit communities are victims of poverty, illiteracy, and unemployment and have to bear additional burdens of caste-based untouchability as the state and concerned bodies deny them justice. This study has made efforts to unravel prevalent discrimination due to social malpractices, traditions, and superstitious beliefs. Additionally, the study will help the state mechanisms in the administration of justice.

Scope of the Study

This study focuses on the Madhes Province. It studies the socially prevalent caste-based discrimination, untouchability, and the behavior of the state mechanism towards the Dalit community and the state of increasing discrimination.

Methods of the Study

- Study of secondary resource materials
- Interviews, monitoring, discussion, and group discussion
- Case study

Suspicious Death of Dalits in Police Custody

According to Article 16 of the Constitution of Nepal, the right to live with dignity is the Fundamental Right however, the state has not been able to fully implement the right to life for the Dalit communities. The state's presence is not sensed even when the rights of the Dalits to live are constrained by the members of the society practising the caste system. All three people who died in custody between 2020 and 2021 are from the Dalit communities.

Bijaya Mahara, 19, of Garuda Municipality-8, Rautahat died on August 27, 2020, while undergoing treatment at National Medical College Birgunj. Mahara's family alleged that the death was due to the police brutality in the custody of the Area Police Office in Garuda. Bijay was initially taken to Anamika Hospital in Garuda when he fell severely ill in police custody. But he was admitted to National Medical College, Birgunj on August 20 when he could not be treated there. Bijay had normal health before he was arrested, but both his kidneys had stopped working when he was taken to Birgunj for treatment. His family alleged that his health had deteriorated due to beatings and torture of the police. Bijaya himself had mentioned during treatment that the police beat him and tortured him while in custody. Bijay's video where he spoke about this had been public on social media. Claiming the brutality of the police to be the cause of Bijay's death, his father Panilal Mahara submitted a First Information Report (FIR) on September 9 against six individuals, including the then SP of the District Police Office Rabiraj Khadka, Area Police Office Garuda's chief DSP Gyankumar Mahato, Inspector Nabin Singh, Sub-Inspector Birendra Yadav, Constable Hiroj Miya Dhuniya and Mannukumar Singh. But the District Police Office Rautahat did not accept Mahara's FIR. After that, the FIR was registered through the Office of the District Attorney on September 6.

The Ministry of Home Affairs formed a three-member investigation committee on August 27 to look into the case under the coordination of the Under-Secretary Dorendra Niraula, Head of Area Administration Office Chandrapur, Rautahat. The investigation committee submitted a report to the Ministry of Home Affairs on September 17.

Even before the committee completed its investigations, the police suspended Inspector Nabin Singh, Constable Hiroj Miya Dhuniya, and Mannukumar

Singh on August 31 on the ground of their involvement in the case. SP Rabiraj Khadka was sent to Police Headquarters in Kathmandu, DSP Gyankumar Mahato, and Sub-Inspector Birendra Yadav to Province Police Office, Janakpurdham. According to S.P. Binod Ghimire of the District Police Office, all the police personnel against whom charges were registered and were suspended are currently absconding. If the charges against them are proven, they will automatically lose their jobs[2].

The case was not registered in the court. The deceased's father, Panilal Mahara received the dead body on September 16 and cremated it on the same day. The local government gave a relief amount of NPR 100,000 and the provincial government gave NPR 500,000 to the victim's family but they did not get justice.

Another death occured in police custody during the investigation at the Area Police Office Sabaila. Shambhu Sada, a resident of Sabaila Municipality-12, Dhanusha was found hanging inside the toilet in a detention cell in Area Police Office Sabaila on June 10, 2020. When the tractor driven by Sada met an accident, it killed Samundradevi Shah of Sabaila Municipality-13. Sada had presented himself at the police station to seek protection for a legal solution to the accident. But he died suspiciously in police custody, i.e., under police protection. Shambhu Sada's mother Siyadevi alleged that the police beat her son, pressurizing him for money, killed him, and hung him in the toilet.

An agreement was made on June 16, 2020, between the victim family and the police administration that a four-member committee would be formed to investigate the case under the coordination of Ganesh Chandra Mishra, section officer at District Administrative Office, Dhanusha, and District Administrative Office Dhanusha would take steps to provide relief to the victimized family. After this agreement, a team of five doctors carried out the post-mortem at the Provincial Hospital. During the post-mortem, it was found that the body had rotted, and it was sent to Kathmandu for a viscera test.

The victim's family had filed an FIR claiming that Sada was killed under the direction and involvement of Inspector Chandra Bhusan Yadav and they demanded an investigation on the case and action against the perpetrators. But the District Police Office did not register the complaint. The complaint was filed at the District Attorney's Office on June 15, 2020, through the initiatives of human rights activists. District Attorney Sitaram Aryal shared that the case was referred to District Police Office Dhanusha on the same day. He added that the file was sent back to District Attorney's Office, Dhanusha, after investigation, and it was declared on April 9, 2021, that the case would not be trialled. The decision was upheld by the High Court in Janakpur on April 9, 2021, and the same decision was upheld by the Office of Attorney General in Kathmandu on May 2, 2021.

On June 15, 2020, the Madhes Province decided to provide NPR 500,000 to Shambhu Sada's family. According to the decision, a team including the Chief Minister of Madhes Province handed over the cheque to the house of the deceased.

Similarly, Paltu Ravidas, 40, of Laxminya Municipality-2, Dhanusha was in custody for investigation and was found hanging in the toilet of the detention cell of District Police Office, Dhanusha, on the morning of July 30, 2021. On July 26, the District Court of Dhanusha had ordered the release of Ravidas with a bail amount of NPR 200,000 on the case of attempted murder and mutilation. However, he

2. Based on the conversations with S.P. Ghimire of District Police Office, Rautahat on January 13, 2022, (Paush 29, 2078 B.S.)

was kept in custody to arrange the bail amount took a day or two more, District Police Officer Dhanusha's DSP Mahendra Kumar Mishra mentioned. The victimized family denied receiving the dead body and demanded a fair investigation on the case, severe punishment for the perpetrator, and compensation for the victims. The victim's family had received the dead body after an agreement was made to recommend to the Ministry of Home Affairs to form a high-level investigation unit and provide compensation to the victimized family. The post-mortem of the victim was conducted on July 30 at Provincial Hospital in Janakpur. The police informed that Jayaprakash Yadav, 30, who was on duty when the incident happened, was suspended for six months starting August 3. The police mentioned that this was done as per the agreement between the agitating party and local administration on August 3, which recommended suspending police recruit Yadav and providing compensation to the victimized family. But the investigation committee's report is yet to be made public, and the victim has not received justice.

The Police Offices should bear accountability for the deaths of individuals in their custody arrested for investigation. But the police administration is seen as unresponsive and insensitive even in cases like the deaths in custody. No concrete action has been taken towards an effective investigation into the cases and punishment for the perpetrators. In all the three cases of suspicious deaths in custody mentioned above, the concerned police offices have hesitated to file the complaints and move forward with the necessary legal process. Such irresponsible acts from the State bodies responsible for the implementation of laws portray ridicule of democracy and the rule of law.

Death of Raju Sada in the Absence of Treatment

A group of nine individuals returning from employment in India on May 27, 2020, including Raju Sada, 16, son of Asheshwor Sada of Dhanusha district Hanspur Municipality-7, were held in quarantine operated by Hanspur Municipality in Nauwakhor. Their PCR samples were collected only after ten days on June 5, 2020. Raju suffered diarrhoea for a day or two. No one inquired about it. When his health degraded, even an ambulance was not arranged to take him to the hospital. He was taken to the isolation at Provincial Hospital in Janakpur on the Municipality's tripper. Although his reports were not public, the hospital neglected his treatment, assuming it was a case of COVID. The PCR reports were not out even after ten days in isolation. A negative PCR report came only on June 22. But Raju's condition had worsened. While in isolation, Raju was suffering from a stomach ache on June 19, 2020. He had fallen from the bed onto the floor due to pain but no health workers visited him. Sada died in the isolation room in the COVID Hospital under the Provincial Hospital in Janakpur at 3 am on June 19, 2020. One the same day, the hospital took the dead body to the deceased's home on a hearse. Sada had reached Madras in India 16 months ago for employment. He used to work in a hotel in Madras. Hotels were closed after the Government of India announced a lockdown due to COVID-19. After the hotels were closed, a group of nine individuals, including Raju Sada had returned to Nepal.

A meeting of the Provincial Assembly formed a five-membered investigation committee on June 28 under the coordination of Provincial Assembly member Rabindra Baitha to look into Raju Sada's case. The committee members included Provincial Assembly member Chameli Devi Das, Surita Kumari Shah, Naresh Kumar Yadav, and Sabitri Devi Shah. According to the convener of the committee and Provincial Assembly member, a report was submitted to the Assembly after investigations; the report concluded that delay in the PCR report and the negligence of

the doctors led him to another disease that caused Sada's death.

Similarly, the Ministry of Social Development had formed a committee on June 25 to investigate Raju Sada's death case under the coordination of Health Directorate's Director Harischandra Shah. But the investigation committee has not made the report public.

On June 17, 2020, the Government of Madhes Province decided to provide NPR 500,000 to Raju Sada's family. According to this decision, a team including the Chief Minister of the Madhes Province handed over a cheque of the declared amount to the deceased's residence.

Beatings of the Dalits and Torture in Custody

The beatings and torture on the members of the Dalit community in custody, arrested on different charges, have not ended. In 2021 as well, beatings and torture of two Dalit individuals in custody in Madhes Province's Dhanusha district were publicly reported.

On October 21, 2021 Raj Kumar Sada, 30, of Mujelia in Janakpur Sub-Metropolitan City-14, Dhanusha requested INSEC's Dhanusha representative and National Human Rights Commission Janakpur, to take initiatives for justice; he claimed that five-to-seven individuals, including Sub-Inspector Chandra Singh of Ward Police Office Mujelia, arrested him on the night of October 19, 2021 and had beaten him up. The victim, Sada, presented himself at District Police Office, but his complaint was not filed. A general dispute about a financial transaction had occurred between Raj Kumar Sada and his neighbour Ramhridaya Yadav on the evening of October 19, 2021. The victim alleges that the Ward Police Office Mujelia joined hands with Ramhridaya Yadav, took him to the police station, and beat him up with pipe on the allegations of the dispute. After the police released the victim on the night of October 19, Raj Kumar Sada was treated at Samar Hospital for the injuries from the beatings.

Similarly, 45-year-old Suruwa Paswan and 35-year-old Ganesh Kumar Paswan of Bideha Municipality-4, Dhanusha district allege that the same Ward's Ward Chairman, 40-year-old Binod Gohiman, beat them in the ward office on February 21, 2021 in front of Tharathi Police Station's Assistant Sub-Inspector Rampramod Yadav and Constable Santosh Pandey. They alleged that the police silently observed the beatings and did not register the FIR at the area police office Khajuri on February 23, 2021. The individuals injured from the ward Chairman's beatings were treated at the local health clinic on February 21. The ward chairperson had beaten them up at the ward office in front of the police because they raised voices against the construction of a public building by narrowing a 20 feet wide road into a 10 feet wide road.

Starved to Death, Held Hostage Due to Lack of Money

The Dalits were tortured by COVID-19 as well. After the government implemented the lockdown, the daily wage labourers of the Dalit community faced problems managing daily meals. Malar Sada of Pathari Rampur, Kanchanrup Municipality Ward No. 5, Saptari district, died of starvation in COVID-19's lockdown on May 19, 2021.

Thirty-year-old Shiva Chandra Sada, and his 28-year-old wife Maliya Sada of Mahuli Tole, Agnisair Krishnasavaran Rural Municipality-6, Saptari district were held hostage at Biratnagar's Golden Hospital as they could not pay the cost of the treatment. During monsoon, Sada's hut was flooded because of the water unguarded by Dina Shah's family residing in the same locality. When the Sada couple requested Dina's family not to remove the soil randomly, they were beaten up on July 20. After the local clinic suggested the couple go to the hospital,

they got admitted to Golden Hospital in Biratnagar on July 21 for further treatment. But the landless Dalit couple who were living in a hut constructed in an unregistered land near a river did not have money for treatment. Shah, alleged for beating them, did not pay for the expenses of the treatment. The Sada couple was held hostage because the hospital did not let them return home without paying for their expenses.

Shiva Chandra's brother Pawan Sada submitted requests for justice and treatment expenses to the Chief Minister of Province No. 2, Human Rights Commission, Ministry of Land Management, Agriculture, and Cooperative, and the Chief District Officer, Saptari.

A meeting of the Caste-based Discrimination and Untouchability Monitoring Committee led by Madhes Province's Chief Minister Lal Babu Raut on September 2, 2020 declared providing financial support of NPR 150,000 per family to the victimized families.

Committee Formed to Investigate the Case Still Remains on Paper

The Madhes Government had formed a five-member investigation committee on September 2, 2020 under the coordination of Gyanendra Kumar Yadav, Minister of International affairs and Law, to investigate the death of 13 Dalit individuals in various incidents in the Madhes province. The investigation committee comprised five members: the Madhes Government's opposition party CPN's whip and Member, Caste-based Discrimination and Untouchability Monitoring Committee Sundar Bishwokarma, Provincial Assembly Member Sunitadevi Mochi and Pramila Devi Das, and Province Police Head as the Member-Secretary[3].

The investigation committee was formed under the Dalit Empowerment Act passed by the Provincial Assembly on the first meeting of the Caste-based Discrimination and Untouchability Monitoring Committee on September 2, 2020, informed Dipak Yadav, personal secretary of Chief Minister. The meeting had provided the committee15 days' time to investigate the incidents and submit a report.

According to Sundar Bishwokarma, Member of the Monitoring Committee and Provincial Assembly Member, although the committee was formed, it could not operate due to COVID-19. He said "The committee has not functioned."

According to Gyanendra Kumar Yadav, former Minister for International Affairs and Law, there was lockdown because of the COVID-19, and the committee could not monitor and investigate the incident because it was not conducive time to be out of the homes.

He said- "after I had raised voice in the parliament that the committee must work, the Special Committee of the Provincial Assembly has been given the responsibility."

Non-acceptance of Inter-Caste Marriage Leading to Deprivation and Suicide

The caste system prevalent in our society prohibits inter-caste love marriages. Due to conservative traditions and thinking, many youngisters in a Dalit and non-Dalit romantic relationship and marriage have been socially excluded, discouraged, pushed into suicide, and killed. Additionally, the victimized families have been facing various hardships.

Claiming that 20-year-old Jyoti Paswan of Pokhariya, Surunga Municipality-7, Saptari district was forced to commit suicide on August 7, 2021, by 25-year-old Krishna Mishra, (Kanhaiya) of the same locality. Jyoti's father Pramod Paswan, filed a complaint at Area Police Office Kadarbona on August 10 against the suicide abbetor.

3. Based on the conversation with Dipendra Jha, Chief Attorney, Province 2 on September 2, 2021 (Bhadra 17, 2078 B.S.)

After a love marriage on February 21, the alleged had abandoned Jyoti on June 15 and had been out of contact because of family pressure citing that the girl was a Dalit. Jyoti was rescued and brought back to her parental home. It is alleged that the victim committed suicide after Krishna abandoned her and went out of contact. Post-mortem was performed on the dead body at Ramkumar Sharada Umaprasad Murarka Hospital in Lahan, Siraha on August 7. Area Police Office Kadarbona had registered a complaint on discouragement leading to suicide. The accused was not arrested until the end of this year.

A 19-year-old woman of Sarlahi district reported that she was raped on May 10, 2021 on the pretext of marrying, and the accused fled after 23 days, telling her that the marriage could not happen because she was from the dalit community. The victim side also alleges that the victimized girl was held hostage by the alleged Yadav's family at a cowshed because of society's pressure.

A team of human rights activists rescued the woman held hostage at a cowshed[4]. These are but a few representative incidents. Many such incidents occur in society but are suppressed within communities and not made public. Such incidents will continue until the caste system, caste hierarchy, and traditional thinking based on these are prevalent in Nepali society.

The Hardships of Landless Dalits

Land ownership is meaningful in an agricultural country like Nepal. People associate land with their dignity, respect, and prestige. However, the land is only owned by a particular caste group in Nepal's context. According to the Nepal Living Standards Survey 2021, 15.32 percent Dalits in the Hills and 44 percent in the Terai are landless.

The majority of landless Dalits reside in and are dependent on unregistered lands or lands provided by landlords. Most of them majority do not own a land.

Article 40, sub-article 5, of the Constitution of Nepal, mentions providing land to the landless Dalits. Similarly, sub-article 6 has a progressive provision of the state making housing arrangements for the homeless Dalits.

The Land Reform Act, 1968 was amended on September 18, 2018, and Article 52(A) was added, mentioning that landless Dalits would be provided land within three years. The government formed the National Land Commission, 2021, on September 14, 2021, to solve the problems of the squatters. However, landless Dalits have not yet received lands and are in dire situation. The landless Dalits are lagging economically because of not having land ownership. The state has frequently forced them to be homeless because of not owning the lands where they reside.

On January 11, 2020, a team, including the court's clerk Rupesh Jha, reached the site along with a bulldozer to implement the District court's order to clear out 22 Dalit squatter settlements of Thadijhijha, Bideha Municipality-1, Dhanusha. Ramsagar Thakur Barahi, a resident of Thadijhijha, Bideha Municipality-1, had filed a case in 2015 at District Court Dhanusha claiming that the residents had encroached public land by building huts at the banks of a public ponds. The District Court had ordered the clearing out of the settlements on May 22, 2018. Human Rights activists collaborated with District Court's team and the police on the grounds that houses should not be demolished without alternative arrangements amidst excessive cold waves in the Terai. The Court and the Police team who had reached the site to clear out the squatter settlement returned af-

4. Based on the conversations with Mahesh Paswan, leader of the Dalit community on May 30, 2021 (Jestha 16, 2078 B.S.)

ter Bechan Das, Mayor of Bidesha Municipality, committed in writing that he would identify real squatters and shift them elsewhere within a few days.

In another account, Dalit families of Basbitta, Siraha Municipality-6, were forced to spend cold nights under the tent after their residences were demolished. Senior citizens and children have been falling ill because of a severe cold.

Damodhar Pradhananga of Siraha Municipality-1 demolished the houses of Ramji Mahara, Samatoliya Devi Mahara, Rambriksha Mahara, Shivkumar Mahara, Rajkumar Mahar, and Kulcha Devi Mahara, claiming that the residents had encroached the land his grandfather Lal Bahadur had provided to the temple, the victims accused.

The houses were demolished in the presence of the police and without any alternative arrangements based on the order of the District Court on June 4, 2018, that 7.25 *dhur* of land of plot no. 271 in Basbitta-3 (a) be given back for the plaintiff's use.

Ramji Mahara, 70, shared that they were unaware that the land of their forefathers in which they had lived for four generations was now stated as unregistered, and it was burial grounds when they started living in it. Samatoliya Mahara shared that it was difficult to avoid the cold in a bed made of straw under a tarpaulin roof, and the children were beginning to get sick. Organizations, including INSEC, monitored the incident on December 26, 2020[5].

Indifference Towards the Incidences of Caste-Based Discrimination

Beatings and inhuman acts are being reported in the Madhes Province due to practices of caste and untouchability. Criminal (Code) Act, 2017 mentions caste-based discrimination and untouchability as a social offence. The government has also introduced a separate Caste-Based Discrimination and Untouchability (Offense and Punishment) Act, 2011 to minimize cases of caste-based discrimination and untouchability. However, a reduction in incidences of discrimination is yet to be seen.

According to INSEC's statistics, 23 individuals, including five women and 18 men, have been victimized in incidences of caste-based untouchability in the five years between 2017 and 2021 A.D. Two individuals were victimized in 2017, 10 in 2018, six in 2019, and five in 2021, as evidenced by INSEC's data. The Dalit communities in the Madhes Province exhibit weak access to police and judiciary.

According to Krishna Mishra, Human Rights Officer at National Human Rights Commission, Madhes Province, seven complaints of caste-based untouchability were received in last six years: one in 2016/17, one in 2017/18 two in 2018/19, one in 2019/20, one in 2020/21 and one in 201/22. The complaints are being investigated, shares Mishra.

According to Krishna Prasai, Superintendent of Police at Provincial Police Office, Madhes Province, 13 cases have been registered across the country in the last three years regarding caste-based discrimination[6]. According to the records of Provincial Police, four cases of caste-based untouchability were registered in Province 2 in the fiscal year 2017/18, six cases in the fiscal year 2018/19, and two cases in the fiscal year 2019/20.

The police do not easily file the victims' complaints when it comes to caste-based discrimination and untouchability. The District Police Office did not register

5. https://inseconline.org/np/news/%e0%a4%98%e0%a4%b0-%e0%a4%89%e0%a4%9c%e0%a4%be%e0%a4%a1%e0%a4%8f-%e0%a4%aa%e0%a4%9b%e0%a4%bf-%e0%a4%a6%e0%a4%b2%e0%a4%bf%e0%a4%a4-%e0%a4%aa%e0%a4%b0%e0%a4%bf%e0%a4%b5%e0%a4%be%e0%a4%b0%e0%a4%b9/

a complaint from Aman Kumar Paswan, 20, resident of Janakpurdham Sub-Metropolitan City Ward No. 25, Dhanusha district; Paswan accused 65-year-old Bindeshwor Shah Sudi of discriminating him based on his caste during a feast on August 6, 2021. Paswan accused Sudi of discrimination by discouraging him from going to a feast he was invited to. According to Paswan, Sudi said that Paswan's presence would make the feast unholy and that his flesh and bones would also be touched by Paswan, thus humiliating him. A complaint was filed on July 20, 2021, with the initiative of Rights Workers but the accused was not arrested. On September 27, 2021, the district court ordered the release of the accused on a bail amount of NPR 50,000.

Netra Bahadur Ramtel, 50, of Bardibas Municipality-3, Mahottari district, teacher, and former Principal of Janata Madhyamik Vidhyalaya, Gairidanda filed a complaint at Area Police Office Bardibas on February 26, 2021, claiming that he was physically and verbally abused on February 25, 2021; the victim shared that the perpetrator could not stand that a person from the Dalit community had become the principal and coordinator. On the same day, the police arrested the accused Manish Aryal, 35, of the same locality, and a case was filed at the District Court on March 4. After the order of the District Court on March 9, the accused was released on a bail amount of NPR 40,000. The case is under consideration at Mahottari District Court.

Cases of violence against the Dalit community have been increasing

The incidence of violence against the Dalit community has increased in the Madhes Province in the last few years. According to INSEC's statistics, 62 members of the Dalit community have been killed, and 249 Dalit women and female children have been victims of rape in four years between 2018 and 2021. According to the records of the Nepal Police, 62 Dalits have been killed, and 168 Dalit women have been raped in eight districts of the Madhes Province between the fiscal year 2017/18 and 2020/21 by October-November.

Incidences of rape attempted rape, and sexual harassments are other terrifying incidences of violence against women and female children. In most of these incidences, Dalit women and female children are victimized by their relatives and people they know. INSEC's data show that female children are largely victimized in rape cases. Among 249 rape cases in four years, 184 were committed against female children and 65 against women, whereas 31 women were victims of attempted rape and 62 female children were victims of sexual harassment. However, the responsibility of the state and its mechanisms to implement laws concerning violence against Dalits has been limited to tradition because of which incidences of violence against the Dalits are taking place each year. The tables below show the district-level statistics of the murder and rape committed against the Dalits in the Madhes province.

Incidents of Killing and Rape

INSEC's statistics show incidences of murder and rape of Dalit in eight districts of the Madhes Province: Saptari, Siraha, Dhanusha, Mahottari, Sarlahi, Rautahat, Bara, and Parsa. The highest number of murders of Dalits, i.e. 20 in the four years was seen in Dhanusha, followed by 12 in Siraha. High incidences of rape are seen in Siraha. 73 Dalit women and female children were raped in Siraha.

Allegation of Witchcraft on Dalit Women

Superstition is still prevalent in society. Poor, Dalit women are victimized due to superstitions. Helpless, single

6. https://www.himalkhabar.com/news/121460

Madhes Province District-level Statistics of the Dalits killed between 2018 and 2021 A.D.								
Saptari	Siraha	Dhanusha	Mahottari	Sarlahi	Rautahat	Bara	Parsa	Total
7	12	20	3	8	5	3	4	62

Madhes Province District-level Statistics of the Rape Cases between 2018 and 2021 A.D.								
Saptari	Siraha	Dhanusha	Mahottari	Sarlahi	Rautahat	Bara	Parsa	Total
44	73	39	25	5	25	13	25	249

women, women of poor Dalit families, are accused of witchcraft in our society. According to INSEC's statistics, 14 Dalit women were accused of witchcraft in the four years between 2018 and 2021. They have been fed inedible, beaten up, and treated inhumanely for allegedly practicing witchcraft.

Witchcraft Accusation (Offense and Punishment) Act 2015 was introduced to eliminate acts arising out of social taboos and superstitions, protect victims of such acts, and provide justice. Accusing any individual of witchcraft, cruel, inhuman, and insulting behaviour towards the alleged or any form of brutal treatment is considered punishable by law. There is a provision of six to eight years of imprisonment and a fine of NPR. 5,000 to 50,000 for individuals involved in an offence relating to witchcraft accusations, depending upon the intensity of the offence.

But perpetrators of such heinous acts have been exempted because the police do not register complaints from the victims accused of so-called witchcraft and make the investigation feeble. Every day, females are victimized because the effective investigation of the incidents is not carried out, and the perpetrators are not punished.

Weak Proportional Representation

The Constitution has provisioned the formation of the Federal and Provincial Council of Ministers based on proportional representation. Similarly, there is provision for representation of two and three individuals from the Dalit and minority community, respectively, in the Executive Member at the local governments.

There is a provision of 40 percent of the total seats at the Federal House of Representatives and Provincial Assembly

Statistics of killing and rape in Madhes Province 2018-2021								
Murder (total 62)				District	Rape (total 249)			
Year in A.D.					Year in A.D.			
2018	2019	2020	2021		2018	2019	2020	2021
-	5	1	1	Saptari	15	12	13	4
4	1	2	5	Siraha	7	17	24	25
1	7	10	2	Dhanusha	5	8	15	11
2	1	-	-	Mahottari	4	8	12	1
1	3	3	1	Sarlahi	1	-	1	3
1	1	2	1	Rautahat	4	5	8	8
2	-	1	-	Bara	1	5	5	2
-	2	1	1	Parsa	3	7	8	7

being filled based on proportional representation. There is a provision of mandatory representation of seven Dalits in the National Assembly, one from each Province. Similarly, two and three members from the Dalit or minority groups will be elected to Rural and Municipal Assembly, respectively. There is a provision for inclusion based on the principle of inclusive proportional representation in the Nepal Army, Executive Committees of the political parties at various levels, the appointment of Ambassadors and Special Representatives, positions at the Constitutional Bodies, and positions within Public Service but the implementation status is weak despite constitutional provisions. 6567 Dalit women's representation was ensured at local levels due to the mandatory provision of the Local Level Elections Act 2016. However, the constitutional provision has not been effectively implemented in other structures.

Not a single member of the Assembly of the Dalit community has been included in the Council of Ministers in the Madhes Province Government. Until the most recent Dissolution of the Parliament, merely a total of three Dalits got the opportunity to be represented as Cabinet Minister and one as a State Minister at Federal and Provincial Government. Advocate Raj Kumar Mahaseth had filed a Writ Petition at High Court Janakpur on June 24, 2021 towards effective implementation of the principle of inclusive proportional representation and inclusion of the Dalit community in the Madhes province. The Writ is currently under consideration.

There are merely three Male Dalit members Federal House of Representatives elected through first past the post and 16 Dalit Members through Proportional Representation, out of which 14 are females. All seven Provinces have 29 Dalit Provincial Assembly members including five Madhesi Women, and four Dalit men had won through first past the post. All seven Dalit members of the National Assembly are men. This status of representation has ridiculed the idea of proportional representation, per se.

Caste-based representation in Provincial Assembly of Madhes

Caste	Percentage
Madhesi	5.2
Madhesi women	22
Muslim men	6
Muslim women	2
Tharu men	3
Tharu women	1
Khas Arya men	2
Khas Arya women	1
Indigenous women	4
Hill Dalit men	1
Madhesi Dalit men	1
Madhesi Dalit women	5

Conclusion

All three individuals that died in custody in Madhes Province in the last two years, were from the Dalit community. They were arrested on various charges and died in custody. Their family members are still alleging that they died because of beatings and torture from the police, demanding investigation of such cases. The security mechanisms of the state have failed to conduct impartial investigations on the case allegations of victimized families and ensure that is not repeated. Even after these incidents, cases of beatings and torture of the members of the Dalit community, arrested on different charges, within Police custody has not stopped.

This Province has the highest population of the Dalit community, i.e., 17.29%. Even at this time of implementation of Federalism, cases of discrimination against the Dalits in the name of caste and untouchability are prevalent. Caste-based discrimination has been

Political Representation of the Dalit Community in Federal, Provincial and Local Levels					
S.N.	**Position and level of representation**	**Total number**	**Number of Dalits**	**Participation in percentage**	**Required number of persons**
1	Federal Council of Ministers	25	1	4	3
2	The provincial council of Ministers	51	2	4	7
3	Members of House of Representatives	275	19	7	38
4	Members of National Assembly	59	7	12	8
5	Members of Provincial Assembly	550	33	6	76
6	Mayor	293	6	2.04	40
7	Deputy Mayor	293	11	3.75	27
8	DCC President	77	8	10.38	11
9	DCC Vice-President	77	9	11.68	11
10	DCC Member	534	99	18.53	74
11	Rural Municipality Chair	460	1	0.21	63
12	Rural Municipality Deputy Chair	460	16	3.47	63
13	Ward Chairperson	6743	197	2.92	930
14	M EC Member	6287	855	13.59	867
15	RM EC Member	6789	1078	15.98	936
16	Dalit Women Ward Member	6743	6567	97.38	1861
17	Dalit Men Ward Member	13486	797	5.90	1861

Source: Election Commission, 2074a, 2) Election Commission 2074b, 3)

treated as a criminal offense. Concerning cases of caste-based discrimination, a separate law also exists as the Caste-Based Discrimination and Untouchability (Offense and Punishment) Act, 2011. But very few cases are reported to the police. They cannot go to the police because they are economically deprived, socially discriminated against, and have no justice and political power access. They do not believe that the police will help them get justice at places. The police also do not easily register cases of untouchability. The police pressurize for reconciliation of such cases in the communities themselves as far as possible. The Dalit community is still immersed in the swamp of poverty, illiteracy, and unemployment. Sub-article 5, article 40 of the fundamental rights of the Constitution of Nepal, mentions providing land to the landless Dalits once. But, the majority of Dalits in Terai-Madhes are landless. They stay in huts built on roads, unregistered and barren areas. But these Dalit settlements have not yet drawn the government's attention. Sub-article 6 of Article 40 mentions that the

Representation of Dalit Community in State Structure and the Status of Dalits				
S.N.	**Public Services/ Other areas**	**Total number/ National Average**	**Number of Dalits/ Status**	**Percentage**
1	Civil service	88578	1971 persons	2.22
2	Nepal Police	65500	6192 persons	9.45
3	Nepal Army	87972	7163 persons	8.14
4	Judiciary	459	5 persons	1
5	Average Poverty	18.7 percentage	42 percentage	
6	Literacy	65.09	52.4 (Terai 34.5) Dalit Women 45.5 percentage	
7	Life Expectancy	68.8 year	58 year	
8	Landlessness		15.32 in the Hills and 44 percent in the Terai	

Source: *Nepal Human Rights Commission, 2021 (2077 B.S.)/Dalit Human Rights Book 2021 (2077 B.S.)*

state will make housing arrangements for the homeless Dalits. But the majority of the Dalits are forced to live difficult lives in huts made in unregistered lands.

There is a constitutional provision to ensure proportional representation of the Dalits at all levels and in policymaking. However, a look at Dalit representation in State bodies and policymaking shows that the constitutional and legal provision is yet to materialize. Because of this, criticisms for the neglect of the Dalits have been heard everywhere.

Suggestions and Recommendations

- Effective implementation of Dalit Empowerment Act, 2018, Provincial Police Act, 2018, and Public Administration Act for Recruitment of Employees on Contract, 2018
- Implementation of concrete policies and allocation of budget towards ending caste-based discrimination and untouchability
- Declaration of all districts of the Province untouchability free and its effective implementation
- Make special provisions for upgrading the economic, educational, and social conditions of the Dom and Musahar communities of Madhes Province
- Effective investigation of the cases of caste-based discrimination
- Amendment of the prevalent caste-based and other social discrimination and untouchability (crime and punishment) Act, 2011 to shift the burden of proof on the defendant and set jail sentence to at least five years
- Establishing Dalit desks at Police Offices and conducting specialized investigations of the cases of caste-based discrimination and untouchability

Chapter 3

3.3 Contradictions between the Locals and the Government for the Use of Natural Resources Available at the Buffer Zone of Chitwan National Park

Background

It has been almost 50 years since Chitwan National Park, the first in the country, was established in September/October 1973. The National Park was established after the enactment of the National Park and Wildlife Conservation Act 1972. Nepal Army has been responsible for the maintenance of internal security of the national park. By exercising the rights vested by section 33 of the National Park and Wildlife Conservation Act 1972, the Government of Nepal (GoN) issued a buffer Zone Management Rule, 1996, on March 11, 1996. This Rule hold provisions for the setting of boundary in the buffer zone, its management, formation of consumer committees, prohibition of activities in the buffer zone, forest development, community development, collection of money and fixing compensation, *inter alia*.

Meanwhile, the government declared the area adjoining Chitwan National Park as a buffer zone to involve the locals in conservation activities and arranged the programs and budgets accordingly. The buffer zone in Chitwan National Park is located in the area of 750 square kilometers. Eighty thousand households of districts adjoining to the park, including Chitwan, Makwanpur, Nawalpur, and Parsa, lie in the buffer zone. It consists of 122 wards of one metropolitan city, eight municipalities, and three Rural Municipalities. Attempts have been made to manage the activities in the zone through Buffer Zone Management Directive 1996, (amended in 2018).

Buffer zone refers to the areas around the national park and wildlife reserve selected to provide the local people with facilities to consume forest products regularly. It is believed that the land use of that area should be animal friendly, as animals frequently pass through that area. The buffer zone has been operated to make conservation easy and conflict-free by minimizing the conflict between humans and animals for the long-term protection of the national park. Buffer zone started in Nepal after the National Park and Wildlife Conservation Act 1972, amended in 1992. Besides forest area, land of the buffer zone is used for farming and settlements. National Park and Wildlife Conservation Act, 1972 has a legal provision that national parks and wildlife reserves can spend 30 to 50 percent of their income in the management and development of that area. This program seems quite useful to maintain a balanced relationship between nature and human beings. On the other hand, the Local Government Operation Act 2017 has handed over the responsibility of the management of community forest, minimization of human-animal conflict, and protection of biodiversity of the area to local level governments.

With the establishment of the national park, local communities were

deprived of the right to consume forest products. Further, with the growth of the number of wildlife in national parks, they started to harm humans, livestock, and crops, which resulted in human-animal conflict. It has been realized that the problems of the forest products of local people should be addressed outside the parks and reserves, and the livelihood of the people should be improved. To implement this concept, legal provisions were made to fix buffer zones of national parks and wildlife reserves and to conduct environment-friendly programs which would improve the quality of life of the local communities. Buffer Zone Management Rule 1995 came into effect to implement this provision.

With the implementation of the Buffer Zone Management Program, the two-decade-long human-animal conflict has been minimized, loss of human life, livestock, and crops caused by wild animals has significantly decreased, and wildlife victims are given compensation. Under the Buffer Zone Management Program, wire fences, walls, trench lines, solar fencing, etc., have been constructed, and loss and harm from wild animals have been minimized. With the forest management in buffer zones, uncontrolled cattle grazing and cutting trees within the national parks have also naturally decreased.

In Chapter 2 of Buffer Zone Management Rule, 1995, the boundary area of the buffer zone has been fixed as the area to be affected by national parks and reserves, geographical location of national parks and reserves, location of the villages, and settlements within the scope of national parks and reserves, easy and practically accessible area from the perspective of the buffer zone.

Similarly, Chapter 5 of the Rule, includes prohibited activities in buffer zones. The prohibited activities are: taking land under control unlawfully, cutting trees, clearing forest or tilling forest area, doing anything that harms forest products, setting the forest into the fire, mining river products such as boulders, sand, and minerals that significantly harm the environment, removing such products, using pesticides in water resource such as rivers, streams, lakes, ponds, etc. within the buffer zone, using explosives, poaching, illegal hunting and causing any harm to wild animals.

Objectives of the Study

1. To shed light upon the economic, social, and cultural rights of the people residing in the Buffer Zone of Chitwan National Park,
2. To find remedies for the alertness to be adopted to minimize human-animal conflict in the buffer zone and national park,
3. To make the state more responsible and accountable towards the protection of rights of people in the buffer zone by studying the relationship of national park administration, security personnel, and local communities.

Research Methodology

Both primary and secondary sources of data have been employed in this study. Primary sources of data include:

1. Field observation, survey, visit and monitoring,
2. Target group discussions and interviews conducted with local people, stakeholders and the people's representatives of the region.

Secondary sources of data include:

1. National Park Act, annual report of the national park, seminar reports, published news, articles, and writings on the issues of the buffer zone,
2. Study and research reports prepared by the concerned agencies.

Limitations of the Study

1. This study is centered around the provision and management of the buffer zone of Chitwan National Park and

the impact of the buffer zone on the human rights of indigenous ethnic communities living in the area and dependent on the buffer zone.
2. It is limited to the study of economic, social, and cultural rights,
3. This study report does not reflect the situation of people living in other buffer zones.

Problems and Concerns

There is a conflict between persons, families, communities, countries, and international communities. Conflict often results when there is disparity and misunderstanding between two or more sides in terms of views, objectives, aspirations, needs, priorities, interests, etc. Even if one conflict is resolved, there can be other conflicts about other issues (Chitwan Mirror (Darpan), 525, History, Present, and Vision). Therefore, nowadays, the term 'conflict management' is in practice rather than 'conflict solution.' It is argued that there must be a certain level and quantity of conflict for positive change. Generally, when others' rights are curtailed for one's own benefit, it results in conflict. It can be caused by social, cultural, economic, political, activity, etc. Similarly, prohibiting the dependents from using natural resources from doing so is sure to create conflict.

The Conflict between Humans and Wildlife

The conflict between human beings and wildlife arises due to harm and obstacles from one to the other. People living near the forests used to go to forests without any restriction to collect wood, firewood, grass, graze their cattle, excavate pebbles, boulders, and sand in the past. After establishing the national park and declaring that area as a protected region, local people were prohibited from using natural resources freely, which resulted in conflict between human beings and wildlife. Meanwhile, the number of wildlife increased in the nearby buffer zone and protected area; encroachment of national parks increased; shortage of fodder to animals due to decrease in pastures, etc. This caused wildlife to enter the villages and destroy crops, vegetables, houses, sheds, and attack human beings and domestic animals. For this reason, the conflict between human beings and wildlife increased.

After the declaration of the national park area as a protected region, it was hard for Bote, Musahar, Majhi, landless people, and families who were dependent on the forest to make their living. Their life became troublesome and pathetic because they were prohibited from fishing and collecting herbs, wild green groceries, etc. Due to their anger against national parks and wildlife, animal poaching has increased, and, as a result, the human-animal conflict has become more challenging. Agriculture products of native people of the buffer zone are destroyed mainly through wild boar, rhinoceros, deer, antelope, etc. Tigers have attacked humans and domestic animals and have caused huge damage. Wild elephants destroy houses, sheds, stores, etc., and sometimes, even harm humans. People living near national parks are well aware and committed to protecting and conserving wildlife, although they bear big risks.

However, the locals have to bear the loss of life and property from the attack of wildlife every year. Before the declaration of the buffer zone, the locals living near the national park used to go to the national park to collect firewood, fodder, and other necessary stuff. At that time, the national park authorities would also stop them from entering there.

During the five months of FY 2021/22, four people were killed in the attack of wildlife in the national park. During the same period, 29 people were injured. According to the information officer, Ganesh Prasad Tiwari, a rhino killed one person; an elephant killed one person; a wild boar killed one person, and a gaur (Gauri Gai) killed one person. During the

same period, four people were injured in the attack of an elephant. Fifteen people were injured in the attack of rhinoceros, three were injured in the attack of tiger, four were injured in the attack of bear, two were injured in the attack of wild boar, one was injured in the attack of mugger crocodile. Among the injured, Tiwari mentions, sixteen people were mildly injured, whereas thirteen people were seriously injured. The national park has paid eight million and seventy-three thousand rupees as compensation for human casualty and damage of houses, sheds, and harvested crops to the victims and their families during the current fiscal year. The national park has distributed sixty-two million, five hundred and forty-four thousand rupees as a relief to the victim families from FY 2018/19 to 2021/22

According to Tiwari, victim families of the four dead people were distributed four million rupees; families of mildly injured were paid three hundred seven thousand rupees, and families of seriously injured were paid one million three hundred sixteen thousand rupees. In the wildlife attack, ten people were killed in FY 2015/17, five persons were killed in FY 2016/17 (2074/75, twelve persons were killed in FY 2017/18, nine persons were killed in FY 2018/19 , and twelve persons were killed in FY 2019/20. After the conflict between the national park and local residents started, the concept of buffer zone management committee was developed and up to fifty percent of the income of the national park has been spent in the buffer zone.

Due to the lack of a proper dwelling place for wildlife in the national park, they would come to buffer zones farms and would attack people. The government should start a program with a sustainable work plan to protect local people from the danger of the attack of wildlife. Spending a certain amount of money in the buffer zone and allocating a budget will not be sufficient. Former chairperson of the buffer zone management committee, Shankar Mahato, mentions that after constructing a high concrete wall in Patihani, people can do farming with certainty and comfort. Such programs can be implemented in other places of the buffer zone.

People Killed in an Attack of Elephants

Two elephants named Dhruve and Ronaldo that appeared in the national park took the lives of many people. There are many cases of human casualty by wildlife in national park areas. But within the area of Chitwan National Park, forty-one people, including security personnel, have been killed in the attack of these two elephants. The primary reasons for these casualties are the increased human mobility in the park area, having elephant breeding centers in the area, lack of awareness in people, etc. Therefore, Dhruve and Ronaldo have claimed the lives of forty-one people in the last twelve/fifteen years.[1]

The Incident of Kusum *Khola*

A group of officials and soldiers deputed from the national park had committed arson to the ancestral family house of Kajiman and house of Deep Bahadur of Kusum Khola, Madi Municipality ward number 9. Besides, they had used elephants to destroy the other eight homes and warned to vacate the whole village within a week. About two hundred households had been living in Kusum Khola for two decades, and they were later moved to Rai Danda of Ward Number 9 and Parui of Ward Number 7. But due to the obstacles created by the national park, those displaced families from Kusum Khola have not been properly managed.

The budget allocated for Chepangs to build new houses has been frozen due

1. https://halokhabar.com/news-details/9994/2022-01-18

to the obstacles of the national park in advancing the plan. The municipality had started to build ninety houses in its initial phase with the financial support of the provincial government, municipality, and donors to manage the displaced from Kusum Khola and living there. But the national park did not allow the construction of buildings. The park stopped the construction of fifty houses at Parui Khola while erecting the poles. Despite the obstruction of the national park, sixty houses have been constructed. The municipality has displaced Chepangs living in Kusum Khola in the national park area and has resettled them in another land of the national park. They fear that they may have to be displaced from there too. They complain: "How many times should we be displaced?"

The residents of Kusum Khola have started to migrate to Indra Basti of Madi ward number 8, and near former Jeevanpur by constructing temporary shades, and so far, ninety-three households of Kusum Khola have shifted there. The locality where they have moved to is prone to land erosion by Ghaghar Khola. There is no provision of embankment on the stream, neither is there the supply of pure drinking water nor safe habitation.

There are seven hundred households living in almost one thousand bigaha (around 677 hectare) of the land of Bandarjhula that lies in the buffer zone of the national park. Landless people, due to natural calamities, have been living there by encroaching public land. The District Forest Office had tried to remove them from there. The national park had not been able to clear that area after it came under the national park's buffer zone in 1996. That area was inhabited from around 1991. The daily life of the landless families living near Balmiki hermitage has been troublesome. The eight landless households have been living there since 1963 with the hope of getting land. Although the geography of Balmiki Hermitage is adjoined to Chitwan National Park, Chitwan district, one can go there by boat on Narayani River at Triveni Dham of Binayee Tribeni Rural Municipality in Eastern Nawalparasi (Nawalpur).

This area, inhabited by Chepangs for more than thirty years, lies in the buffer zone, and the local authority has given them household certificates assuming that it is legal to live in the buffer zone. Article 37 of the Constitution of Nepal, and Section 3 and 7 of the Right to Housing Act 2018 have guaranteed the right to housing. Yet, the Chepang community has been facing discrimination, inequality, exclusion, and injustice, and they have been made endangered by the state by usurping their land and resources.

Chitwan National Park was established by displacing indigenous ethnic groups like Tharu, Kumal, Bote, Majhi, Chepang, etc. Human rights laws have ensured the rights of indigenous people to get the land that is acquired without their consent, to get land in return of land and to receive reasonable compensation if the land cannot be returned due to unforeseen circumstances.

National Park and Wildlife Conservation Act 1972 has provisioned that, thirty to fifty percent of the income of national parks can be given to the buffer zone consumer committee. As per this provision, more than sixty million rupees go to the twenty-two buffer zone consumer committees of Chitwan National Park. Out of the total amount of money, the consumer committee can spend thirty percent on conservation programs and community development, twenty percent on income generation and skill development programs, and ten percent each on conservation education and administration expenses. However, it can also be spent on the management of landless people.

Recently, the tension between Madi Municipality and national park on using resources has surfaced. The total area of two hundred and eighteen square kilometers of Madi Municipality lies in the buffer zone. All three levels of govern-

ment are influential in the buffer zone. However, there is a clash in the scope of their authority area, and there is no legal basis to coordinate and discuss on this issue. All three levels of government do not seem to regard and accept each other. Conclusion: there is a lack of a common forum to initiate the solution of these problems, collectively.

Relation of Community and Security Personnel

The tension of the locals with the administration of the national park and the Army reduced after the buffer zone program brought the local community, Nepal Army, and national park administration together in conservation activities. The locals did not have a good relationship with security personnel because the latter would scold and beat the former. However, the locals say that they have not had a bitter relationship with the security personnel in recent years. Since the security personnel and the locals did not communicate in the past, they had an enmity and distance with each other. Recently, they have started working collaboratively and have begun to support each other. Twenty-two consumer committees have been formed in the buffer zone to involve local communities in conservation activities directly. The consumer committees spend the allocated budget and funds on different activities with priority such as community development, irrigation, conservation and income generation, pasture management, etc. In this fiscal year, the committees have received a budget of one hundred thirty million rupees. The locals collaborate on conservation activities, and the national park administration also addresses their problems. The security personnel immediately reach out to help the locals when wildlife causes threat and harm to the locals near the park.

National Park and Indigenous Ethnic Groups

According to the biodiversity experts, the economic life of indigenous ethnic groups entirely rely on natural resources. There is always an interdependent relationship between culture and nature. But with the impact of a capitalist economy such as privatization, globalization and open market along with exploitation of natural resources, the overall environment of the region and lifestyle of the indigenous ethnic groups have rapidly declined together .

In Nepal, the region where indigenous ethnic groups reside, is rich in natural resources and biodiversity. Chepang, Tharu, Darai, Majhi, Bote, Tamang etc. are the native residents of Chitwan National Park. International laws on conservation of natural resources and biodiversity have provisions for the distribution of fifty percent of the benefits acquired from the use of biodiversity and natural resources available in the residential area of indigenous ethnic groups.

Chepang, Majhi, Bote, Darai, Tharu, Tamang, and other needy and helpless indigenous ethnic groups, who trespass the area of the national park to collect dried and rotten firewood, to search for wild fruits and edible roots, to pick green leaves, and sprouts, to set the trap and, to fish just because of having no other alternative means of subsistence, are not only charged a high penalty but are also killed at times with the bullets of the Army and security personnel of the park. During the rainy season, security personnel of the national park set fire and destroyed the residence of Chepangs living in Kusum Khola of Madi Municipality-9 on July 18, 2020, without prior warnings. One Chepang man living in Rapti Municipality-2 lost his life by being mercilessly beaten by the security personnel of the national park while he was searching for snails on the bank of Rapti river on July 16, 2020.

The government has enacted different laws and rules relating to forest-protected areas after establishing the national park by prohibiting the activities of the indigenous ethnic communities,

who were entirely dependent on the natural resources of Chitwan National Park located in Bagmati Province. It has created additional problems and challenges. Member of Constituent Assembly and former chairperson of Chepang Organization, Govinda Ram Chepang, mentions that the national park has discriminated against Chepang, Tharu, Kumal, Bote, Majhi, and other indigenous ethnic communities living near the national park. On the other hand, due to the lack of access to forest and water resources, the conflict between Chepang and other communities living in the protected area and buffer zone has surfaced.

International Practices

ILO Convention on the Rights of Indigenous Tribal Peoples 16 states that indigenous ethnic peoples should not be displaced from their ancestral land and residence in the pretext of development and physical construction. It is mentioned that if they need to be displaced, the state shall duly notify them and obtain their consent by providing them a reasonable compensation. Chitwan National Park has displaced the whole village of Chepangs living in Padampur for many generations without their consent and reasonable compensation. In that incident, the state did not seem to be sensitive about its impact on their economic life, language, culture, and ethnic identity. Security personnel of the national park set fire and destroyed the residence of Chepangs living in Kusum Khola of Madi Municipality-9 on July 18, 2020 (without prior notice). However, the State didn't seem sensitive towards this incident as well.

Need of New Law for the Solution to the Problems

Chepang, Bote, Majhi, Kumal, Tharu, and other marginalized communities have been living near forest and river banks for many generations. Indigenous ethnic communities are mainly dependent on forest, water, and land. But after the government introduced the system of biodiversity protection, their condition, settlement, and livelihood has come under threat because the conflict between Chepang and other communities living in the protected area has emerged in the buffer zone. The conflict has resulted at different times due to the lack of access to forest and water resources. Different laws and rules relating to forest protected areas developed by the government after establishing the national park by prohibiting the lifestyle of the indigenous ethnic communities, who were fully dependent on the natural resources of Chitwan National Park, have created additional problems and challenges. It is a fact that the protected area is the ancestral residence of these indigenous ethnic groups. But since they are prohibited from that area by the national park and protected area, more significant problems, and challenges have been created in their residence, identity, and lifestyle.

The situation of Government Initiation to Solve the Problems in Buffer Zone

The budget allocated for the buffer zone is spent on five different areas. Thirty percent of the budget is spent on community development, thirty percent on conservation activities, twenty percent on income generation and skill development, ten percent on conservation education, and ten percent on administrative expenses of buffer zone consumer committees. If wildlife kills the locals, the victim families get one million rupees as compensation, and injured persons get treatment costs. There is a forty-five percent population of Tharus living near Meghauli. They need fish in every festival, cultural activity, and ritual. But they cannot do fishing even in streams in buffer zones, let alone in the national park. Prakash Dhungana, Chairperson of Buffer Zone Management

Committee, mentions that it is necessary to increase the compensation amount and make compensation processes easier.

Every member of the Bote community living on the bank of Rapti river in Patihani, ward number twelve and thirteen of Bharatpur Metropolitan City, demands that there should not be any intervention from the government's side in their traditional profession of fishing in streams and rivers. The creek where their ancestral parents used to fish now belongs to Chitwan National Park. Those who bear the license provided by the national park can only do fishing in a fixed area. Approximately sixty-eight households are living in Bote Tole of ward number twenty-two of Bharatpur city. Bishnu Raj Atreya mentioned that this is the municipality's largest Bote village/ settlement. On the bank of Rapti river in Patihani, there are approximately one hundred households of the minority indigenous Bote community. Chairperson of Nepal Bote Society, Chitwan, Indira Bote complains that the national park has prohibited them from fishing, although it is their traditional profession. Those who bear the license provided by the national park can only do fishing under specific terms, conditions, and duration. Therefore, no members of the Bote community can go fishing.

Punishment to the Security Personnel of the National Park in Accusation of Murder of a Person

In the incident of the death of Raj Kumar Chepang, aged twenty-four and resident of Rapti Municipality, ward number 2, Chiran Kumar Budha was convicted of nine months of imprisonment by Chitwan District Court on July 16, 2021. The bench of the judge Gayatri Regmi gave the verdict that Budha can be partially charged in that incident, and he should be convicted for nine months of imprisonment, charged with the fine of nine thousand rupees and provide compensation of two hundred thousand to the victim's family. The Registrar of Chitwan District Court informed that the charge sheet was filed on the charge of intentional homicide, however, the court gave a verdict saying that it was an accidental homicide. .The security personnel of the national park had taken Chepang along with seven other locals into control when they trespassed the region of a national park in the buffer zone to collect snails and *niguro*, a species of fern eaten as curry, and had tortured them brutally. Raj Kumar Chepang lost his life on July 23, 2021 due to the brutal beatings and torture of Budha, who was deputed for the security of Chitwan National Park.

Father of the deceased, Bishnu Lal Chepang, filed his complaint against the sergeant clerk of Nepal Army in the District Police Office on September 10, 2020. Before that, the District Police Office had registered the complaint filed by the victim's family on July 26 . The police had forwarded the lawsuit after the father of the deceased had filed the complaint by ascertaining the name of Chiran Kumar Budha. The police had arrested the accused Budha on September 28. They claimed that Raj Kumar Chepang had died due to brutal punishment, beatings, and torture of security personnel of the national park. Chitwan National Park had provided compensation of one million rupees, and Rapti Municipality had provided three hundred thousand rupees to the victim's family. Vice-Chairperson of Rapti Municipality, Iman Singh Lama, has built a house at his own cost for the needy family.. INSEC, Advocacy Forum and other human rights organizations had conducted a field study of that incident. They had published a report by drawing the government's attention with recommendations to punish the culprit involved in the incident, provide compensation to the victim's family, and make necessary arrangements so that such incidents do not repeat in the future.

Recommendations

1. Make a wire fence with RCC around the national park to stop wildlife from entering the villages,
2. Make proper management of drinking water and pasture abundant for wildlife,
3. Conduct awareness programs to the locals about biodiversity protection and tourism development,
4. Prepare, implement and monitor conservation and development plans in collaboration with the national park, security bodies, and the locals,
5. Make arrangements of sufficient compensation to wildlife victims,
6. Stop poaching, wildlife trafficking, unauthentic trespassing into the forest, exploitation of natural resources, encroachment of the forest of the national park and community forest, by increasing patrolling and adding security posts in the necessary places,
7. Place hoarding boards mentioning the codes of conduct in the protected area.
8. Make timely amendment of National Park and Buffer Zone, Act, laws, and rules,
9. Create employment opportunities for the local communities,
10. Make necessary arrangements for the insurance of cattles.

References

- https://ratopati.com/story/213432/2021/12/29/chitwan-national-park?fbclid=IwAR0IfctaJfirAnsDsgWOXrrWLs0B1ItYlnTM-2Z_opj7axnII-6n0dYL9fM
- https://www.himalkhabar.com/news/111720
- https://dnpwc.gov.np/media/files/DNPWC_Annual_Report-_077_Final.pdfhttps://pahilosamachar.com/2021/09/29/%E0%A4%9C%E0%A4%82%E0%A4%97%E0%A4%B2%E0%A5%80-%E0%A4%9C%E0%A4%A8%E0%A4%BE%E0%A4%B5%E0%A4%B0%E0%A4%95%E0%A5%8B-%E0%A4%9C%E0%A5%8B%E0%A4%96%E0%A4%BF%E0%A4%AE%E0%A4%AE%E0%A4%BE-%E0%A4%A8%E0%A4%BF/
- https://pahilosamachar.com/2020/09/09/%e0%a4%b5%e0%a4%a8-%e0%a4%b5%e0%a4%bf%e0%a4%9c%e0%a5%8d%e0%a4%9e%e0%a4%be%e0%a4%a8%e0%a4%95%e0%a4%be-%e0%a4%b5%e0%a4%bf%e0%a4%9c%e0%a5%8d%e0%a4%9e%e0%a4%b9%e0%a4%b0%e0%a5%81%e0%a4%b2%e0%a5%87/
- https://moolbato.com/2020/07/34253/
- https://dnpwc.gov.np/media/rules/%E0%A4%B8%E0%A4%B0%E0%A4%95%E0%A4%B7%E0%A4%A4_%E0%A4%95%E0%A4%B7%E0%A4%A4%E0%A4%B0%E0%A4%95_%E0%A4%90%E0%A4%A8_%E0%A4%A8%E0%A4%AF%E0%A4%AE_%E0%A4%B8%E0%A4%97%E0%A4%B2-%E0%A5%A8%E0%A5%A6%E0%A5%AD%E0%A5%AA.pdf
- https://dnpwc.gov.np/ne/conservation-area-detail/78/
- https://dnpwc.gov.np/ne/publication-detail/6/
- https://inseconline.org/np/news/%e0%a4%b0%e0%a4%be%e0%a4%9c%e0%a4%95%e0%a5%81%e0%a4%ae%e0%a4%be%e0%a4%b0-%e0%a4%9a%e0%a5%87%e0%a4%aa%e0%a4%be%e0%a4%99%e0%a4%95%e0%a5%8b-%e0%a4%ae%e0%a5%83%e0%a4%a4%e0%a5%8d%e0%a4%af%e0%a5%81-2/
- https://inseconline.org/np/news/%e0%a4%b8%e0%a4%b0%e0%a5%8d%e0%a4%b5%e0%a4%b8%e0%a4%be%e0%a4%a7%e0%a4%b0%e0%a4%a3%e0%a4%b2%e0%a4%be%e0%a4%88-%e0%a4%95%e0%a5%81%e0%a4%9f%e0%a4%aa%e0%a4%bf%e0%a4%9f-%e0%a4%97%e0%a4%b0%e0%a5%87%e0%a4%95/
- https://inseconline.org/np/news/%e0%a4%b0%e0%a4%be%e0%a4%9c%e0%a4%95%e0%a5%81%e0%a4%ae%e0%a4%be%e0%a4%b0-%e0%a4%9a%e0%a5%87%e0%a4%aa%e0%a4%be%e0%a4%99%e0%a4%95%e0%a5%8b-%e0%a4%ae%e0%a5%83%e0%a4%a4%e0%a5%8d%e0%a4%af%e0%a5%81/
- https://inseconline.org/np/news/%e0%a4%95%e0%a5%81%e0%a4%b8%e0%a5%81%e0%a4%ae%e0%a4%96%e0%a5%8b%e0%a4%b2%e0%a4%be%e0%a4%b8%e0%a5%8d%e0%a4%a5%e0%a4%bf%e0%a4%a4-%e0%a4%9a%e0%a5%87%e0%a4%aa%e0%a4%be%e0%a4%99-%e0%a4%ac%e0%a4%b8%e0%a5%8d/
- https://www.nayapatrikadaily.com/news-details/68641/2021-08-12
- https://nepallive.com/story/270619
- National Park, Act
- Annual Report of the national park
- Office of Chitwan National Park
- *Chitwan Darpan,* 207

Chapter 3

3.4 Impact of COVID-19 on the Tourism Sector of Pokhara

Background

The sudden and dreadful outbreak of the pandemic of COVID-19 that started towards the end of 2019 and spread globally by the beginning of 2020 has caused an unforeseeable human and economic loss in Nepal. The Government of Nepal declared lockdown all over the country from March 24, 2020, to July 21, 2020, to minimize human and economic loss from the pandemic. Visit Nepal Year, 2020, which was announced to welcome as many as two million tourists in the country, was postponed in its early phase. Although the government had sufficiently invested in Visit Nepal Year, COVID-19 created a completely different scenario. Lockdown adversely affected road and air transportation, and as a result, it severely affected the business of hotels, restaurants, hiking, trekking, mountaineering, and other adventurous tourism. It reduced the arrival of foreign tourists by 80.8 percent in 2020, whereas comparatively it had increased by 2.1 percent in 2019 in the previous two years. Since the pandemic had serious effects on the tourism market, it also affected the production and transaction of goods and services.

During the same period, earning of foreign currency from the tourism sector declined to about seventy percent. The total number of foreign tourist arrival was 1,197,191 in 2019, whereas it decreased to 230,085 in 2020 and to 32,997 in 2021. Compared to the previous years, it decreased by 80 percent in 2021. When passenger arrival from international flights at Tribhuvan International Airport decreased by 73 percent, the projected income by the end of 2020 was also limited to NPR 24,955,900,000, which was 70 percent less than that of the previous year. During this period, other economic activities except the basic ones came to a halt. After that, economic activities were intermittently operated due to full and partial lockdowns imposed by local governments until the end of mid-December 2020.

According to the survey report on the economic impact of COVID-19 conducted by the Economic Research Department of the Nepal Rastra Bank, in June-July 2020, 61 percent of industries and businesses were closed all over the country during the lockdown. The report mentions that 39 percent of industries and companies were operated fully or partially; they cut down the number of workers by one-fourth; they also cut down the salaries of workers by 18.2 percent; and production and transaction of 96.7 percent of industries and businesses by 73.8 percent. The fact that most industries and businesses were fully closed during lockdown shows that the outbreak of COVID-19 had a profound impact on the economy. Nepalese economy shrank by 2.1 percent in the fiscal year 2019/20 due to the outbreak of COVID-19.

COVID-19 declined the prospects of mining and excavation, production, hotel and restaurant, transportation, storage, communication, etc. The tourism sector was the most affected sector during the eight-month-long lockdown. World Bank (2020) report entitled "COVID-19 and Tourism in South Asia: Opportunities for Sustainable Regional Outcomes" states that COVID-19 has affected about 47.7 million employment of tourism sector of South Asia, and it includes some informal sectors in which women and vulnerable communities are involved. It is estimated that the GDP of the tourism sector will decrease by more than fifty million US dollars. It mentions that governments have already started emergency programs to protect small and middle-scale industries and save employment. The report remarks that South Asian countries should consider the tourism sector strategically while planning to evade the crisis and take this situation as an opportunity to reform the tourism industry while implementing the policies.

The tourism sector has been highly affected due to restrictions imposed internationally on the mobility of tourists after the outbreak of the COVID-19 pandemic. This pandemic curtailed the human rights of workers in the tourism sector and their dependent families, mainly their right to free health service, right to employment, right to education, right to free mobility, right to trade and business, and other economic rights, etc.

This study report, conducted by Informal Sector Service Centre (INSEC) for Human Rights Yearbook 2022, presents the impact of the COVID-19 pandemic on the employment and livelihood of workers employed in the tourism industry in Pokhara city, which is one of the major tourist destinations of the country.

This study covers the situation of the workers, who were employed in the hotel and restaurant business, and who have lost their employment after the outbreak of the COVID-19 pandemic. This has had an immense impact on their education, health, food, and other fundamental economic rights. Besides, this study also covers the situation and status of the dependents on them. This study is expected to play an important role in identifying the position, identity, and problems of dependents on the tourism sector; incorporate and address their issues in plans, policies, and programs of the state.

Objectives

The main objective of the study is to know the situation of workers directly involved in the tourism industry and their dependents after they lost their employment during the post-COVID period and recommend to the stakeholders to guarantee their rights. Other objectives are the following:

1. To make public the situation of workers of the tourism sector of Pokhara city and dependents on them,
2. To analyze the efforts made by the government and tourism-related stakeholders to guarantee security and protection of the workers during this period,
3. To lobby the concerned authorities to implement the recommendations of this study findings,
4. To suggest suitable suggestions for the revival of the tourism industry and business.

Research Methodology

Data and information about the study have been collected from both primary and secondary sources. The primary data sources include necessary data and information that have been collected from workers, who have lost their jobs in the tourism sector, entrepreneurs of the tourism sector, leaders, and representatives of tourism-related organizations through questionnaire surveys. Further, information has also been collected from discussions with the workers' organizations and

other stakeholders. Articles and news published in different media after the outbreak of COVID-19 have been taken as secondary data. Similarly, the COVID report published daily in INSEC online has also been taken as secondary data.

Limitations of the Study

This study is limited to the workers involved in the tourism sector of Pokhara. Although the tourism sector of Pokhara is vast, this study has covered a limited area. It is mainly limited to situation study of the implementation of policies, programs, and commitments of provincial and local governments to minimize the impacts of the COVID-19 pandemic on employment and livelihood of workers of the tourism sector of Pokhara. The study focuses on their return to the job after immunization against COVID-19. Besides, the study is limited to the problems faced by the workers of the tourism sector of Pokhara after they lost their jobs and the violation of economic, social, and cultural rights caused by lockdown during COVID-19.

Sample Collection for the Study Survey

The tourism businesses located at Pokhara city of Kaski district have been divided into the following five groups as per the nature of these businesses to collect primary data for the study:

1. Hotel and resort
2. Restaurant and Bar, c) Paragliding companies
3. Workers employed in trekking agencies/businesses
4. Boating business

Workers Employed in Hotels and Resorts

As per the information provided by the Hotel Association of Nepal, Gandaki Province Committee, the total number of tourist standard hotels in Pokhara Metropolitan City is seven hundred. Five hundred hotels have their own buildings, whereas two hundred hotels are operated in rented buildings. It is estimated that such a standard of hotels needs two workers per room, which is equals to 12,928 workers that are required every day. (Hotel Association of Nepal, 2020). The Association mentions that this number has dwindled although no accurate data is available.

Restaurants and Bars

There are one hundred standard tourist restaurants and bars in Pokhara city. This number also includes *Dohari* and dance bars that provide meals and entertainment at Lakeside. According to the Restaurant and Bar Association of Nepal (REBAN), by the end of 2019, almost one thousand and five hundred workers and employees were involved in these restaurants and bars with a ratio of fifteen persons per restaurant. Two thousand workers, including managers, waiters, cooks, entertainment artists, cleaners, and security guards, were directly or indirectly employed in these one hundred restaurants and bars. (Restaurant and Bar Association of Nepal, 2020).

Trekking Business and Services

By the end of 2020, two hundred and twelve trekking entrepreneur agencies have been registered in Tourism Office, Pokhara, although exact data is not available at present. According to Tourism Office, Pokhara, the trekking business has created direct permanent employment for 1,272 people, whereas indirect employment is twice the figure. This business organizes three-day to twenty-five-day trekking packages in which trekking guides, porters, and managers are employed. Since this business mainly operates in the Himalayan region, it creates employment for small-scale hotels located in the area. Rather than domestic tourists, foreign tourists are more interested in this sector. This business, which had been seriously devastated after the 2015 earthquake and following the Indian

Table 1			
S.N.	Sector	Number of Businesses	Number of People Employed
1	Hotel and Resort	700	12,298
2	Restaurant and Bar (Night life Business)	100	2,000
3	Paragliding	65	1,000
4	Trekking Business	159	1,272
5	Boating Business Entrepreneurs	767	350
Total		**1,791**	**16,920**

blockade, had just got its momentum, but it was again severely affected by the outbreak of COVID-19. Generally, the Autumn and Spring seasons are good times for the trekking business. As per the data made available by the Trekking Agent Association of Nepal, Gandaki Province Office, there is an unnatural trend of the growth of the trekking business. Based on the transaction of 2019, there is an average of NPR 63,875 transactions per day. But the transaction of trekking business had decreased by almost NPR 52,273,972 (Trekking Agency of Nepal, 2020).

Paragliding

Nepal Air Sports Organization is the Association of companies that provide paragliding and ultralight services. Sixty paragliding companies have been registered in Pokhara, and fifty-seven out of them are in operation for business, whereas three companies are working as training institutes. A pilot can fly a maximum of three flights a day. Air sports generally depend on the weather. They fully operate for six months a year and do good business. On average, 2.5 people have been employed as a paraglider. Therefore, fifteen people on average are employed in a company with six paragliders. Based on it, a total of 975 people are estimated to have been employed in this sector.

Boating Business

Phewa Lake is one of the significant destinations for domestic as well as foreign tourists. Boating service is commercially provided on Phewa, Begnas, and Rupa lakes. There are seven hundred and sixty-seven commercial boats, out of which seven hundred and twenty-six are wooden boats, whereas the remaining forty-one are pilot boats, waiting for tourists at eight different ports. Out of the two boats have been separated for emergency rescue. Besides, the families of the fishermen have kept eighty boats for fishing. Four hundred fifty-five families are involved in this business, and 350 people are directly employed in it (Phewa Lake Boating Business Entrepreneurs' Organization, 2020).

The data provided by different related organizations where people are permanently or temporarily employed in the tourism sector are presented in the above table1.

Facts Data

Forty percent of foreign tourists who come to Nepal visit Gandaki Province. Almost one million domestic and foreign tourists are estimated to visit Gandaki Province annually, whereas their average stay in Gandaki Province is estimated to be five days. Foreign tour-

ists spend fifty-four US dollars on average, whereas domestic tourists' average spending is five thousand rupees. The tourism sector has created fifteen percent of employment generated in the province. Out of six hundred and six thousand jobs generated in the province, almost ninety thousand have been generated by the tourism sector (Labour Force Survey, 2019). And it is estimated to have a ten percent contribution to the total GDP of the province (First Five-Year Plan, Policy and Plan, Gandaki Province. During the fiscal year 2018/19 (2075/76 BS), the total national GDP of hotels and restaurants was NPR 56,270,000,000 (fifty-six billion, two hundred seventy million) rupees, out of which Gandaki Province contributed 19.6 percent, that is, 11,150,000,000 (eleven billion, one hundred fifty million) rupees (Central Bureau of Statistics, 2019).

After the imposition of lockdown that started from the Eleventh of Chaitra, 2076, tourism entrepreneurs, employees, and daily wage workers suffered the most. As per the data of the Hotel Association of Nepal, 700 entrepreneurs are associated with the hotel and resort business. A total of 12,298 people have been employed in this sector. Similarly, 100 entrepreneurs are associated with restaurant and bar business, where almost 2000 people are directly employed. In totality, 21000 thousand people are directly employed in the tourism sector of Pokhara city. 1000 people are employed in 65 paragliding companies, whereas 1,272 people are directly employed in one 159 trekking agencies.

The provincial government has announced different programs to uplift the tourism sector that has been devastated by the outbreak of the COVID-19 pandemic.

Tourism Revival Program

As per the annual policies and programs prepared by the Office of the Chief Minister and Council of Ministers, Gandaki Province, tourism policy and tourism masterplan have been formulated and prepared to develop the tourism sector sustainably. It has formulated the policy of generating employment, increasing income, poverty alleviation, agriculture, and industrial production growth, and creating a strong economy by operating tourism revival and promotion programs with a long-term vision of sustainable tourism development and forming the base of the prosperity of the province.

This policy and program aims to develop Gandaki Province as a tourist hub and Pokhara as touristic capital by developing tourism infrastructures such as tourist destinations, trekking routes, hotels and resorts, homestays, etc., by continuing the tourism promotion campaign of the province government.

World Tourism Day, 2021

The World Tourism Day is celebrated every year on September 27. World Tourism Association had set the slogan "Tourism for Inclusive Growth" in 2021. Accordingly, Gandaki Province also celebrated World Tourism Day, 2021 by inviting ambassadors of different countries to Nepal and heads of development partner organizations to the province to spread a good message that Nepal is open and safe for foreign tourists to revive the tourism sector of Gandaki Province that had been shattered by the effect of a first and second wave of COVID-19. Ambassadors and heads of development partner organizations were welcomed with different programs. They were taken to a two-day visit to other tourist places of Gandaki Province, including Pokhara. The program was successfully conducted in collaboration and coordination with the government of Gandaki Province, Nepal Tourism Board, Pokhara Metropolitan City, and tourism-related entrepreneurs.

Management of Business Life Protection Fund

Gandaki Province has managed

a business life protection fund. The government has established a fund of one billion rupees in the fiscal year 2020/21 to minimize the impact of the COVID-19 pandemic on tourism, transportation, agriculture, entrepreneurship, service sector, etc. Seven months after establishing the fund, an agreement was signed between Gandaki Province and Nepal Rastra Bank, Pokhara Office. There was the provision of providing soft loans through the fund from fifty thousand rupees to one point five million rupees considering the nature of business. The loan can be taken from eighteen branches of different "A" grade banks to conduct a transaction in local level governments of Gandaki Province. The office of the Chief Minister and Council of Ministers will deposit twenty percent of the fund in advance in Nepal Rastra Bank through a recoupment account.

For the fund's operation, "Business Life Protection Fund Operation Procedures, 2020 had also been prepared. Affected areas have been categorized in the procedure:

1. Small scale and cottage industry/business loan: from one hundred thousand up to one point five million rupees considering the type and scale of business,
2. Small Scale Tourism Business Loan: from one hundred thousand up to one point five million rupees considering the type and scale of business,
3. Small Scale Transportation Business Loan: fifty thousand up to one million rupees considering the type and scale of business,
4. Small Scale Service Business Loan: fifty thousand up to one million rupees considering the type and scale of business.

Case Study 1

Devaki Nepali (name withheld), working in a *Dohori* Bar (Dohori is a folk duet song sung by two groups countering each other), a resident of Shukla Gandaki-10, Tanahun, and living at Pokhara-metropolitan-5, Malepatan, has been involved in the nightlife business of Lakeside. She earns NPR 7,500 per month and supports the education of her children; one of her children studies in grade 9 and the other in grade 10. Being involved in the tourism sector of Pokhara, she had also opened a small restaurant. But she faced a dire situation due to the lockdown imposed by the governments after the outbreak of COVID-19. She did not have any other source of income except for working in the bar during that time, and therefore, she was compelled to sell vegetables to make an everyday living during the period of COVID-19. Her daily income during that period was limited up to three hundred rupees.

There was a fear of COVID transmission; her family was facing the problem of food; her children were deprived of getting education through the virtual system (online class) conducted by the schools during lockdown because they had neither mobile nor laptops, they had neither the Internet nor money to buy necessary gadgets. Due to the lack of money, her daughter could not get quick treatment when she was ill. The private hospital refused to treat her, so her daughter was sent to a faraway government hospital after arranging money. She had to go to the village to live during that time due to her inability to pay the rent of the room. She even had to take a loan to bear the everyday expenses of her family when she returned to her business in Pokhara after a year. She has not been able to pay off that loan to date.

She said that she did not get any rent waiver during the pandemic, and her house owner would demand to pay the rent on the very first of the month. He would sometimes threaten her to leave the rented rooms if they failed to pay the rent on time. She got an opportunity to work in the same place where she had to work after getting a vaccination against COVID-19. But the recurring waves of COV-

ID-19 have not allowed her to work without any anxiety. She is even deprived of getting a minimum salary. She says that she has been facing economic, physical, and psychological problems for two years, although the situation seems normal from the outside. She reveals that she is and psychologically fragile. Now also she does not get salary on time. She complains that no government agencies helped her when she faced many problems.

Case Study 2

Sumana Shrestha (name withheld), a resident of Kathmandu and living in Pokhara, has been working in a spa located at Lakeside for five years. She is unmarried and has got a sister living together in a rented room. Her sister is also temporarily working in a hospital. She gets NPR 12,000 as salary. During the first wave of COVID-19, she was forced to leave her job and the office she was working also had to be shut down. Her house owner waived her rent for a month, but she had to return to Kathmandu when the lockdown was prolonged. During the same period, she and her father tested COVID positive and were admitted to Man Mohan Hospital located in Kathmandu for further treatment. Due to not having health insurance, she had to ask her family for money for her treatment. She was discharged from the hospital after an extended stay of the hospital, but it took her a long time to be physically and mentally well. "On the one hand," she said, "my father was sick, on the other hand, I also was ill. How could I bear the expenses? So, I had to take a loan of twenty thousand rupees. I am worried about how I can pay the loan since I have no job. The income of my sister was spent in lockdown." She mentioned that she did not get any support from any authority or agency. Although she recovered from COVID infection, she was psychologically disturbed. She practiced yoga and meditation to get rid of this problem. Although she is studying at a college in Pokhara, she has not been able to continue her study. When the lockdown was lifted, she returned to Pokhara, but her previous office was closed. So, she was forced to seek a new job. Because she had an experience of working in a spa, she got a job of her skill, but she was about to leave that job also during the second wave of COVID-19. Now she is working on a low salary. The spa owner complains that since there is no tourist, he cannot pay her a good salary. She expresses her dissatisfaction and unhappiness that the state has done nothing for the workers like her and others from Pokhara in general. However, she is happy that she has got regular income source, though sparse. She says, "But it seems like we cannot work in the spa for a long time."

Case Study 3

Sabin Bhulum (name withheld), resident of Gimli, Lalitpur and currently living at Dam side in Pokhara for ten years, sails boat to earn a living. It has been five years since he started this profession. His earning is from ten thousand to fifteen thousand a month. He has no other source of income and has to support a family of six, including his parents. He had to return to his village during the lockdown. He was compelled to spend the sparse saving of his previous earnings during that period. He said that the state did not help them during the lockdown. He started farming for his bearing the expenses. It took two years for him to return to his previous profession. He had to pay the rent although they did not live there for two years. He said that he had to take a loan to pay the rent. However, he has not been able to fully pay it.

Case Study 4

Anish Kafle, (name withheld), a resident of Tanahun and currently living in Pokhara-Metropolitan City-5, has been working in the trekking business for four years. As soon as the business season of mountain trekking started then the lock-

down was imposed, which badly affected his economic condition. He could not earn a penny in that season although it was rather easy for him because of his other family members being involved in other businesses. The lockdown was lifted after a long time and the tourism business ran smoothly as earlier, but he faced mental pressure. He tried to return to his previous job, but due to not being immunized against Coronavirus, it took him a long time to return to his last job. Besides, arrival of tourists also diminished. As per the advice of his family, he tried to take up another work, but he could not become successful. He said that he had lost his hope of a better job and attractive salary in this profession. Different waves of the COVID-19 pandemic have brought more uncertainty to this business. He mentioned that he was thinking of quitting this sector due to the government's indifference to revive this sector, although the country is well known worldwide through this sector.

Views of the Stakeholders

Hari Sharma, Chairperson of Hotel Association of Western Region

The tourism sector is the most affected sector among others due to COVID-19. A large number of workers employed in this sector have been deserted. Besides, hotel entrepreneurs have also been displaced from this profession. To make the tourism sector vibrant and lively, governments and stakeholders should make concrete plans to support the workers in their livelihood. Otherwise, there will be many problems in this sector even after the pandemic is over. It is going to be extremely hard for the business to continue unless the problems of workers are duly addressed in time. Many workers have been deserted in the last two years because the rights to education, health, and easy and free life of dependent children were not guaranteed. It is a challenge to make them return to this profession and fulfill the scarcity of human resources. For this, entrepreneurs, governments, and stakeholders should collectively make plans and implement them effectively.

As per the data of the Hotel Association of Nepal, Gandaki Province, fifteen thousand workers are dependent on the hotel business in Pokhara. But forty-five thousand workers are employed in the tourism sector of Pokhara. At present, the business should operate by giving at least minimum subsistence salary and wage to the workers. The government could neither provide financial compensation nor entrepreneurs could get support and grants from the finance sector. Due to this, the problem has been exacerbated. Therefore, workers were forced to be displaced from the tourism business. Some companies are trying their best of their capacity to face this situation. But not all companies and enterprises can do that. Many workers are compelled to work as part-time wage laborers due to the inability of the finance sector to provide loans to companies that are unable to pay salaries and facilities to workers. It is urgently necessary for the government to make plans and programs prioritizing tourism and transportation sectors.

Biplav Paudel, Member, Nepal Tourism Board

The tourism sector is a sensitive sector that such pandemics and calamities hit first. Tourism-related businesses such as hotels, restaurants, trekking entrepreneurs, adventurous tourism, tourism sports, etc., have directly suffered. There is an investment of more than two hundred billion rupees in the tourism sector of Pokhara alone. Due to the desertion of workers after the outbreak of the COVID-19 pandemic, there is a shortage of workers in this sector. Those entrepreneurs, who can pay their workers, have paid at least minimum salary and other facilities to them, but not all entrepreneurs could do this to their workers. Workers also will undoubtedly be eased

if governments could support tourism entrepreneurs by managing financial loans during the period of lockdown. It is essential to realize that the government should protect and support entrepreneurs. It is not that the government has done nothing, but it has not been able to do as much as it should have done. The state should make separate plans for different tourism-related sectors such as hotels, restaurants, trekking, tours, etc. Only then can this sector be revived. This sector has been losing billions in the last two years. Even if everything goes normal, it seems to take four to five years to revive this sector. Workers have abandoned the tourism profession and have taken up other alternative jobs. It is also necessary to increase their work efficiency to get them back to this profession. It takes a long time to produce skilled human resources. Therefore, the governments and entrepreneurs should collectively make a common work plan.

Laxman Baral, Chairperson, Restaurant and Bar Association, Pokhara

After the outbreak of the COVID-19 pandemic, many workers have abandoned the tourism profession. It is estimated that almost four thousand five hundred workers were employed in one hundred restaurants and bars associated with us before the pandemic. But many workers have now escaped to other professions. It has not been easy to return to the previous situation even if the situation has slightly improved. It is necessary for the governments to prioritize the tourism sector and make policies to support this sector. The condition of workers and their dependents cannot be expected to be easy-going when investors and entrepreneurs are not safe at present. Most workers have opted for alternative professions after they deserted from the tourism sector. Most of them are employed as daily wage laborers in building construction companies, brick factories, etc. It is hard for them to return to the tourism profession. Therefore, the shortage of skilled human resources will be a serious problem in the tourism sector even if the situation improves.

Analysis of the Study

1. *Working Period*

Participants or respondents of this study were involved in the tourism profession from one year to thirty-five years. Most of the workers employed in restaurants were in that profession between one year to three years, whereas those in the boating business were involved in that business for five years and more.

2. *Status of Tourism-related Organizations and Businesses during Lockdown*

The tourism business, in which all of the respondents were involved, was closed during the period of lockdown imposed from July 21, 2020 (Chaitra 11, 2076 BS). None of the sectors, except a handful of large-scale hotels that paid cooks and waiters only, could pay salary and wages to their workers. Those working in hotels and resorts and in permanent posts are found to have been paid twenty percent of their salary, and they were also included in social security trust by the institutes.

3. *Duration Taken to the Revive the Profession post Lockdown*

All of the respondents had revealed that when the lockdown was lifted, they returned to their profession after being vaccinated against the pandemic. For everyone to get the vaccination, it took almost a year.

4. *Condition of Family After Losing Job*

The study shows that the condition of families of seventy-six percent of the respondents after the loss of their job was not good.

5. *Alternative Source of Income*

The study shows that sixty-eight percent of the respondents do not have an alternative income source.

6. *Status of Transfer*

Twenty-eight percent of the respondents had either changed their profession or moved to their village.

7. *Restoration in the Same Institute/ Office After the Lockdown*

Eighty-four percent of the respondents have returned to the same office/ institute after the lockdown was lifted.

8. *Impact on Education, Health and Food of Dependent Children*

As shown in the study, the impact of COVID-19 and aftermath lockdown was more profound in the education of dependent children because they did not have adequate access to online and alternative means of education. The study also reveals that the consumption of quality food of dependent children was highly affected. The study shows that the parents could not provide their children with quality and balanced nutrition due to a sharp decrease in their income resources.

9. *Loan to Meet Regular Expenses During the Lockdown*

The study reveals that sixty-four percent of the respondents have taken a loan to meet regular expenses during the lockdown. Out of them, sixteen percent have paid their loan.

10. *Problems Faced After Leaving Business/Job*

Eighty-four percent of the respondents are found to have faced mental problems after they lost jobs, or they left their business. And they have been facing economic problems after that.

11. *Support Provided by Organizations during the Pandemic*

Sixty-eight percent of the respondents said that they did not get any help and support from any organization during the pandemic.

12. *Support Provided by the Governments during the Pandemic*

Eighty-four percent of the respondents said that they did not get help and support from the governments during the pandemic.

13. *Decrease in Salary and Income after the Pandemic*

Sixty-eight percent of the respondents said that there was a sharp decrease in their salary and income after the pandemic. They think that their employment is still uncertain because the business did not fully operate; the tourism sector is the most hit sector by the pandemic, the arrival of tourists has drastically dwindled, and different waves of the pandemic have occurred one after another.

Conclusion

- Those involved in the tourism sector have faced mental problems due to losing their jobs after the outbreak of the COVID-19 pandemic.
- Dependent children of the workers who have lost their jobs have been deprived of their right to education.
- Those employed in this sector did not get help and support from government agencies.
- They have not got a guarantee of their jobs until the COVID-19 pandemic remains.
- During the COVID-19 pandemic, most of the workers employed in the tourism sector, permanently or temporarily, have lost their jobs due to a decrease in the number of tourists.

- Their monthly income has decreased and become irregular even if they were restored to their jobs.

Recommendations

- The government should make pre-plans and preparation to tackle such calamities and pandemics in the future.
- ·Although the tourism sector has started to revive, it is necessary to implement different programs for revival and support those involved in this sector.
- Necessary policies and workplans regarding job or business security and protection of entrepreneurs and workers involved in this sector should be prepared and effectively implemented.
- It is necessary to establish an emergency relief fund for the workers.
- Since Nepal is a country to attracts tourists, it is necessary to prioritize the tourism sector.

References

- The Constitution of Nepal, Part 3, Fundamental Rights and Duties
- World Bank (2020) report "COVID-19 and Tourism in South Asia: Opportunities for Sustainable Regional Outcomes."
- The report published by the Office of the Chief Minister and Council of Ministers
- Budget Report of Gandaki Province for the F.Y. of 2021/2022 and 2022/2023
- International Finance Corporation, Pokhara
- Revival Plan of Tourism Sector, 2021
- Central Bureau of Statistics, 2019.
- Nepal Rastra Bank, Economic Research Department, Pokhara (Report): "Impact of COVID-19 in Gandaki Province."

Chapter 3

3.5 Enforced Disappeared People of Bardiya District and Their Human Rights

Background

Conflict Victim's Profile prepared by INSEC demonstrates that there were 931 victims of enforced disappearance among which 823 were disappeared by the state and 108 by the then Maoist during the 10-year long armed conflict. The database shows that Bardiya remains as the district with highest number of disappearance victims (i.e 218). There are numerous concerns of the victims and their families related to their rights, livelihood, and socio-cultural issues which are the fundamental to this study.

Enforced disappearances is not just a crime against the disappeared persons but is also a crime against their families, friends and the society in which they live. The International Convention for the Protection of All Persons from Enforced Disappearance defines Enforced Disappearance as the forcible arrest, detention, abduction or any other form of action which excludes persons or groups from any kind of legal or policy protection. It is mentioned that such acts can be carried out by state bodies as well as an individual or group of individuals.

A documentation of enforced disappearance in Nepal is available since the disappearance of Ram Prasad Rai in 1951. Justice in the cases of disappearance is denied since the disappearance of Rudra Bhattarai of Ramechhap in 1960. The truth identification and justice remains undone in the incidents of the disappearance of Bhuvan Lal Thapa Magar of Ramechhap in 1992 and Prabhakar Subedi in 1993 after the restoration of democracy in Nepal.

The government formed an investigation committee after the campaign of human rights defenders to find out the situation of the enforced disappeared persons in the movement for democracy in 1989, and events and process relating to the democratic movements. Prakash Kafle, the contemporary Secretary General of INSEC, was appointed as a member of the committee in the efforts of Citizens' Campaign. Even though the committee published the details of enforced disappeared victims (five of the 35 victims were killed) it could not established the fact and provide concrete recommendations for the assurance of justice.

The conflicting parties were to be held accountable for their forcible actions against disappeared persons during the armed conflict in accordance with the Universal Declaration of Human Rights, international humanitarian law and the basics principle and norms of human rights. Conflicting parties expressed their commitment through the Comprehensive Peace Accord to reveal the real names, surnames and addresses of the disappeared persons within the 60 days of the agreement, inform the families regarding the truth, and form a mechanism for the truth identification, reconciliation and

transitional justice. Weak legal arrangements and lack of accountability mechanisms hindered the efficient functlioning of thus formed commissions.

Bardiya district has the highest number of enforcedly disappeared persons. The cycle of psychosocial stress of the victims families in this district is saddening. Hundreds of people and their families have been displaced in Bardiya. The issue of property transfer is often prioritized as one of the major legal problems faced by the families of disappeared persons. The children of the disappeared persons have become helpless, deprived of proper care and education.

Even after the 15 years of the Comprehensive Peace Accord, truth regarding the victims of enforced disappearance has not been established yet. The conflicting parties have been collaborating to govern the state, however, no concrete initiatives have been taken for the structural reforms for identification of truth and assurance of justice.

After the change in political regime, the political parties ignored the concerns of human rights violation of people who fought for the change. The failure of the transitional justice mechanisms in publishing the report of their investigation and make necessary recommendation for the assurance of justice and reparation, even after the extended tenure has further intensified the challenges and problems in the victim's families for exercising of Economic, Social and Cultural rights. Even after 15 years of Comprehensive Peach Accord, the victim's families have been facing difficulties in acquiring the properties in the name of disappeared persons, due to the legal barriers.

Objective of the Study

During the collaboration with victim's families and communities, INSEC noted concerns of transfer of property, psycho-social condition of the victims' families and prevailing injustice as three major problems faced by the families of conflict victims. Non-fulfillment of the commitments delivered through the Comprehensive Peace Accord regarding the victims' rights is a matter of shame for the political parties and their leader. This study on the issue of disappeared persons intends to advocate for the justice of the victims by shedding light upon the economic, social, cultural, and legal problems faced by the victims' families and question the accountability of the state.

Methodology

The study is based on the primary and secondary sources of information and data. The primary sources are interviews and discussions with conflict victims, their families, organizations, and stakeholders. The secondary sources are INSEC's Conflict Victims Profile, the report on the Commission of Investigation on Enforced Disappeared Persons, Nepal, media coverage, and report related to Conflict-Related Disappearance in Bardiya District published by United Nations Office of High Commissioner for Human Rights (OHCRH).

Problems and Concerns of Disappeared Victims in Bardia District

The Commission of Investigation on Enforced Disappeared Persons, has not been able to publish report of investigation and recommend for legal action against the perpetrators, reparation to the victims and institutional reform for the assurance of non-occurrence of the incidents in the future. The commission collected the complaints, however, no information was disseminated publicly regarding the investigation and other procedures. Even after seven years of its establishment, the commission has not yet conducted a thorough investigation on the complaints filed by the victims' families.

The elderly parents, wives, and children of the victims have experienced the pain of losing their loved ones during the 10-year long armed conflict. They have been facing different forms of social, economic, and psychological problems. Amid this, the families of the victims have been helplessly visiting different authorities in the search of their relatives. Based on discussions with the victim's families and stakeholders, this study has identified the following concerns and problems.

4.1 Legal Problem in the Use and Transfer of Immovable Property

The victim families face legal problems in using the immovable property of the disappeared persons as their legal rights. This has created legal barriers in the exercise of economic, social and cultural rights to the victims' families. In joint families, this has also caused problems and obstacles, mainly in the partition of the land among brothers of the disappeared. As a result, the victim families are deprived of most of the fundamental rights provided by the state due to the absence of economic rights and stability. Notably, most of the families of the disappeared have been deprived of the right to property use. This has further added suffering to the families of the disappeared.

According to Chapter 11 and Section 40 of the Civil Code and Section 26 of the Land Act, 2021, it is mandatory to submit the death certificate to acquire the movable and immovable property of the disappeared persons. Their families must present the date, place, and cause of death to get the order of legal declaration of death. The inability to transfer the property to their owners as per the legal provision compels the wives and children of the disappeared to live troublesome and miserable life against their personal will.

Bujhauni Tharu, aged 40 and an inhabitant of ward number 4 of Thakur Baba Municipality, has faced many problems in the use and transfer of property due to the enforced disappearance of her husband Khusi Ram Tharu. As per the legal provision, land ownership of the joint family could only be transferred to the ownership of her husband (male). It is uncertain whether her husband is alive or dead; no party tells her about the whereabouts of her husband. To register her husband's death certificate, she has neither the dead body nor any other proof. Other members of the joint family have started to live separately and have persistently pressurized her for the partition of the land of joint ownership. Khusi Ram Tharu had been taken into detention by the group of armies, who had come from the camp of Nepal Army located at Thakurdwara by confining him to Godana of ward number 3 of Thakur Baba Municipality on March 11, 2002 . The army has not given any information about his whereabouts yet.

Paniya Tharu also has a similar story to that of Bujhauni Tharu. Her husband Dhamu Tharu had been taken into detention by the group of armies, who had come from the camp of Nepal Army located at Thakurdwara on April 10, 2002 . They had asked him to go with them by saying they had some task with him. Nobody knew why the Nepal army took him away; where they took him and what they did to him. He has also not been seen ever since, and nobody says anything about his status. Bujhauni and Paniya are only the representative persons among the victims, who have been facing legal and other problems. Many women like them are suffering from this problem.

Dev Narayani Tharu, aged fifty-six and an inhabitant of Hari Nagar, ward number ten of Rajapur Municipality, is a freed bonded laborer with a red identity card. Her husband Chhunuwa Tharu was arrested and taken into detention by a group of Royal Nepalese Army on October 20, 2002 while working on his farm. His status is also unknown to date. Dev Narayani immediately went to security authorities to know the situation and whereabouts of his disappeared husband,

firstly alone and later with the help of human rights organizations. It has now been eighteen years since her husband disappeared, but there is no information about his situation.

She was deprived of land ownership and other facilities when the government claimed that the rehabilitation of freed bonded laborers was in its last phase because she failed to make the physical presence of her husband. When she requested the Office of Land Reform, Gulariya to transfer the land ownership to her, they replied that Chhunuwa had to be physically present himself to the office or she should present his death certificate. But Dev Narayani strongly believe that her husband is still alive. Her heart could not accept to register for his death certificate. She has not stopped waiting and looking at the road towards which the army had taken her husband. She still has a faint hope that she will get to see her husband.

As per the legal provision, for a wife and close relatives to acquire the right of movable and immovable properties in the ownership of her husband, the owner should physically present himself to the office or should appoint someone as the inheritor or his death certificate shall be submitted. Regarding the enforced disappearance during the armed conflict, family members of the victims of enforced disappeared are compelled to face unending suffering due to the failure of the state to provide timely and reasonable information about the status of disappeared person.

As provisioned in Article 25 of the Constitution of Nepal, the right to property is one of the fundamental rights. However, due to the general assumption of property inheritance, while formulating the laws relating to the same, it has largely affected the right to property of the victims' families.

4.2 Restrictions in Social and Cultural Participation

Most of the families of the disappeared are facing face immense economic, social, and cultural obstacles. The income of most of the enforced disappeared people of Bardiya comes from agriculture, in which adult male house leaders had a decisive role. Their enforced disappearance has added more economic, social, and cultural problems in their families. Since the families of the disappeared could not get their death certificate without indisputable proof of their death, they are deprived of the right to transfer of land and other property rights they are entitled to. This has prevented the victims from making legal transactions of their land assets.

Hukum Bahadur Shahi, husband of Jayanti Shahi, aged 42, and an inhabitant of Sutaiya, ward number four of Thakur Baba Municipality, was arrested, kept in detention, and disappeared on April 6, 2002 by a group of armies of Barakhdal squad located at Thakurdwara. His status is unknown till this date. Even after nineteen years of her husband's disappearance, Jayanti Shahi has not lost her hope that her husband will return to home one day. However, the behavior of her family and society towards her has drastically changed while she is desperately waiting for her husband to come back. They have started to pressurize her to perform his last rites, believing that he has long been dead, and if not, he would undoubtedly have already returned.

Since she has not given up wearing red clothes and vermilion powder without performing his last rites, she has been accused for all the bad incidents like accident of the family members etc. That occurs in the family. In some families, the victims reported that the mother of the disappeared challenged to perform the last rites of her son herself. Phaklu Tharu, aged 38 years, and husband of Beli Tharu, an inhabitant of Mahuwa, ward number 6 of Rajapur Municipality, was

arrested on October 24, 2002 by combined security force as he was alleged of being Maoist, and disappeared with the action of the army. His whereabouts are still unknown. Beli, who has brought up her two sons, has also been forced by her family to perform the last rites of her husband. If any mishap occurs in the family or if anyone gets sick in the family, Beli is accused of those misfortunes as she refuses to perform the last rites of her husband because she has not received any reliable information about him. These are some of the representative examples.

4.3 Compulsion to Follow Traditional Cultures and Rituals

Tharu communities, in the past, had a tradition where the younger brother-in-law would get married to the widow of his own elder brother. This tradition was out of practice for some time. But during the armed conflict, this practice was promoted again. This practice is solely against the principle of women's rights and human rights in general. In the Tharu community, there are some cases of the widows or the wives of the disappeared getting married to men outside their family lineage. According to Conflict-Victim Women Network, six wives of the disappeared have married their younger brother-in-law in Bardiya.

4.4 Pressure to Perform Last Rites of the Disappeared Persons

Wives and families of the disappeared persons have been continuously pressurized to perform the last rites of the disappeared accepting that they are dead.

4.5 Increase in Death Registration

Wives and families of some of the disappeared persons have been forced to register their death to get the ownership of moveable and immovable properties of the disappeared and to get some facilities provided by the state. In some cases, they have registered deaths against their will due to the inability to bear family and social pressure.

4.6 Problems faced by the Children of the Victims in Their Higher Education

The cases of enforced disappearance have affected the victims' access to justice. More than this, it has negatively affected their economic condition. Those kids at the time of enforced disappearance have now grown up to their adulthood; their education and upbringing expenses have surged up, and the government has not given anything more than merely one million rupees as consolation. They cannot register the death of the disappeared person as they have not given up on their hope of seeing the disappeared person one day. This has created legal obstacles for them to use and transfer the fixed property.

The Commission of Investigation on Enforced Disappeared Persons, Truth and Reconciliation Act, 2015 has not mentioned anything regarding the use and transfer of immovable property of the disappeared persons. It has the scope and rights to investigate the status and position of the disappeared persons and make necessary recommendations to the government in order to ensure justice to the victims. The General Secretary of the National Network of the Families of the Disappeared says that it is direly necessary for the government to issue directives that should enable the families of the disappeared to use and transfer immovable property, mainly land property, of the disappeared persons.

4.7 Distribution of Identity Card and Expectations of the Victim Families

The government has started to provide disappearance victim identity cards to the families of the disappeared as a basis to address severe problems regarding economic, legal obstruction, education,

and health issues faced by disappearance victim families. The government started to provide disappearance victim identity cards from Bardiya district in 2021. So far, 790 people of the families of the disappeared have been provided with identity cards all over the country.

Since the Commission of Investigation on Enforced Disappearance has not been able to complete its investigation of the disappeared within the stipulated time, the government claims that they are implementing compensation programs through all three levels of government by providing the victim families with disappearance victim identity cards to address the problems faced by them in their everyday life. However, the distribution of the identity cards by the Commission is quite slow. The government hasn't decided on what sorts of compensation programs the government is planning to implement, and when they are going to implement the same.

Conclusion

The complete and clear situation and status of enforced disappeared persons in Bardiya district during the armed conflict is still unknown. The families of the disappeared have not given up their hope that their relatives may return someday. The belief was that the peace process would complete, and victim families and the nation would come out with a solution to this problem. Neither of the conflicting parties has given due concern to this issue. The victim families are deprived of their rights to know the truth about the incidents of human rights violations and atrocity during the armed conflict.

Delay in knowing the truth about the incidents has caused the disappeared persons' families to suffer the most. Due to the inability of the Commission of Investigation on Enforced Disappeared Persons to complete an investigation regarding the whereabouts of the disappeared, families of the disappeared are entangled with economic, social, cultural, legal, education, and health problems they are facing every day. The government has been continuously ignoring their human rights and has been averting from its responsibility towards the rights of disappeared persons and their families.

Recommendations

- It is essential to recognize the enforced disappeared persons as 'legally absent' and provide them with intermediate relief assistance. It is further necessary to actively contribute to end impunity.
- Ensure the proper identification of the social and livelihood problems of the victims and enhance the accountability of the local and provincial governments for responding them properly.
- There is a need for the facilitation to use the property by the families of the victims since the law on inheritance of property only enshrines a general provision, which has greatly affected the property rights of victim's families.
- The Commission for Investigation of Disappeared Persons, Nepal, is less effective in demonstrating the evidence of investigation and recommendation which only adds up to the long-standing impunity. There is a need for joint advocacy of the victims, human rights organizations and the international community with the concerned stakeholders for legal reform and performance of the transitional justice mechanisms.
- To end the status quo of transitional justice, the advocacy initiatives shall be facilitated to create pressure on the political leaders.
- The state should provide compensation and social security to the wives and dependent children of the victims of enforced disappearance.

Chapter 3

3.6 The Raute Community: A Study of the Conditions in the Last 15 Years

Background

Raute is a marginalized group of the Khas Aryas and an endangered indigenous community of Nepal. The Raute community have a nomadic lifestyle and mostly live in the jungle area of Salyan and neighboring districts of the Karnali Province. Although they speak the Khas language, they can understand and speak modern Nepali too. They mostly hunt monkeys and other wild animals, and live on tubers, fruits and other plants. The Raute people are especially seen using *laththi-lauro baja* (a stick instrument), *majira*, *madal* and *dhyangro* (a kind of drum). Observing their conditions in the last 15 years, we can understand that their special areas are the hills, ridges, and caves of the Karnali Province. They primarily wander in the forest areas of Karnali's Salyan and the neighboring Surkhet, Jajarkot and Dailekh districts.

Nepal's 59 indigenous-ethnic groups are classified into 5 categories: developed, deprived of facilities, marginalized, extremely marginalized, and endangered. According to this categorization, the Raute is a marginalized and endangered group. With a small population, the Raute is one of the minority groups among the ethnic groups.

It can be seen that the Raute have chosen Karnali because of adequate forests to make wood products, and abundant herbs to use in common injuries or illnesses except for grave health concerns.

Unless there are specific reasons to migrate, the Raute are found to stay in one place for a maximum of three to four months. When they have to migrate, they move to places within three-to four hours or a full day walk at the most. When they migrate in this way, the families transport all their belongings themselves within two to three days. Except for the elderly who need help, everyone else carries their own belongings.

Having a nomadic lifestyle, the Rautes migrate to and live in different forests. They make a living by making wooden *koshi* and *madus* and bartering them with food grains in the villages. Making wooden products through the day, hunting monkeys, and begging in the nearby villages is an everyday affair for them. They plan their day so that they have enough time to reach the villages, exchange the wooden products they have made with food grains, and return to their settlements. They construct circular and ovular huts from branches with green leaves and wooden columns around a flat space, and keep this flat space in the middle for children to play and for the women to dehull and winnow rice. The women make the huts.

They think that it is a crime to stay in villages by cultivating through paying taxes, and to eat from others for free. On their journey, they do not turn back to drink water from rivers or lakes, but only drink water from springs. They only have

cooking pots and few tools to cut wood and hunt as possessions. They believe that if they meet a person wearing a shirt and pants, they will not find a hunt. They link not finding a hunt to God being angry.

As per the census of Nepal 2010, the total population of Raute in Nepal is 618. At present, including 46 families in Bangada Kupende Municipality-1, Salyan, a total of 146 Raute are residing in the community. Their prevailing castes are Kalyan, Raskoti, Satyal etc. Castes like Raut and Saud are also predicted to be the surnames under this ethnic group. There are arguments speculating the Rautes a *Shahbamsis*.The Raute's surnames could have been *Sahabamshi*; their *gotra* matches with *sogotri* and Sahi Thakuri's *gotra*. The Raute community has three types of surnames and *gotra*: Suryabamshi Chhatyal gotra (Aatreya), Raskoti gotra (Aatreya) and Kalyal gotra (Keshalma). Their surnames are found to be Kalyal, Raskoti and Chhatyal.

1. Objectives of the Study

- To obtain information about the economic, social and cultural conditions of the Raute community
- To identify the problems faced by this community and their solutions
- To facilitate the delivery of social security allowance and other services and facilities provided by the State to this community
- To draw attention of relevant stakeholders towards facilitating the livelihoods of this community
- To facilitate the development of expenses, transparency and accountability of the programs of non-governmental organizations, public budget and programs related to the Rautes

2. Methodology of the Study

This study is based on both, Primary as well as Secondary sources. Elucidation of facts and statistics of the study is based on the Constitution of Nepal, Statutes, National, and International Human Right obligations, Civil Societies Movement, along with accountability of Government's decisions and policies.

2.1 Facts based on Primary Sources

- Observation of Raute settlement
- Interview with Raute *Mukhiya*
- Representative discussion with stakeholders
- Person specific study and incident presentation

2.2 Facts based on Secondary Sources

- Study of the news
- News and facts collected and published by INSEC
- Study of different books and newspapers related to Raute

3. Information obtained from the Study

3.1 The History of the Raute

There are many legends, beliefs, and arguments about the history of the Rautes. But the Rautes, also called Kings of the jungle, believe themselves to be descendants of *Suryabamshi* (Sun dynasty) Kings. People might wonder if the nomads might be Kings but there is a local and internal community belief that the Rautes have forsaken Kingship to live in the forests.

The neighboring communities also do not negate this belief. The nomadic Rautes are believed to be *Thakuri* descendants of Bishnu who resided in *Fukot*. Many writings note the legend that the Middle son, among the seven sons, started living in the Jungle after climbing downhill from Fukot as declared in the family's punishment.

In her 2009 work "Kings of the Forest: The Cultural Resilience of Himalayan Hunter-Gatherers", Anthropologist Jana Fortier claims that other legends cannot be trusted. She links the history of the Rautes to various nomadic communities in India. But the Rautes oftentimes claim to be Kings who ruled Fukot.

The Rautes explain that their place of origin lies in Western Nepal's Fukot area between Seti River and Madi River in Pyuthan in the East, previously in Seti zone. Interestingly, there is a *Thakuri* community in Mugu with the surname *Chhatyal*. There are similarities between the *Chhatyals* residing in Chhatyaldada and the *Chhatyal gotra* (clan name) found among the Rautes. They also explain the similarities. The publication of Raute Upliftment Foundation also mentions that the Rautes have not been in these conditions since primitive times, and that there is a historical account that Raute community left households and State, or possessions and unjust system of governance, to lead nomadic lives in the forest.

The Raute *Mukhiyas* (leaders) express that there used to be frequent and escalated wars between States at the time when the *Suryabamshi* Kings ruled. The comparatively small and war-averse Thakuri States did not have alternatives to the attacks and interferences from bigger empires. The Kings were forced to fight these wars. In this context, the Rautes were displaced and pushed into the forests by interference from bigger states and empires.

3.2 Nomadic Lifestyle of Rautes

Why do the Rautes not disclose their population? Why do they communicate with other communities through their *Mukhiya* only? The search for the answers again leads to history.

They start with being rulers and administering a State. When they left their State and started living in the forests, they faced the dangers of being killed by the rulers wherever they were found. Therefore, they started minimizing contacts with established societies. And they stopped counting their own numbers or disclosing it to others so that the enemy could not estimate their strength. Additionally, they established the trend of communicating with established societies in essential circumstances through the *Mukhiya*, not individually. They believed that they risked losing lives if they went to the established societies individually, faced language difficulties and other risks and therefore established that the Rautes would not believe anyone but their *Mukhiya* and only follow the *Mukhiya* but no one else.

In response to the curiosity why do Rautes not farm and not stay in one place for long, they again refer to their history, claiming that the Rautes were not interested in agriculture because they had abandoned their households and States. They also add that agriculture does not match with their nomadic lifestyle. Studies in other countries also point to similar reasons for tribal communities not staying at one place. There is an anthropological explanation that nomadic lifestyle cannot continue with agriculture. The Rautes who have understood the disadvantages and difficulties of permanent societies consider agriculture to be sinful. Various studies offer two key reasons why they do not stay in one place: resource management and natural reasons, and fear of enemy and human reasons.

The Rautes leave a place immediately when any of their members die. The Rautes immediately bury the dead member in the place of their death and leave in search of another shelter; they cannot stay in one place because of these rites. As soon as a community member dies in a place, they consider the place inauspicious and go in search of a new place. They reach the new place and console themselves that things will be okay and try to forget about the death that occurred. The Raute do not study the place to move, wherever night falls, they consider that place to be a suitable shelter. The consider nightfall to be a sign from God to settle. They then cut off tree branches and settle in the place praying that no evil should happen in this place until someone else dies. They do not usually go to a place where one of their members died. Even if nobody dies, they move to different places if the crowd

starts making them insecure or if the villagers encroach the jungle.

Nomadic Life

The Rautes with nomadic lifestyle migrate to and live in various jungles. They plan their shelter so that they have enough time to exchange their wooden products with food grains in the villages and return to their settlements. Those going out of the settlements are not permitted to stay overnight elsewhere. None of the Rautes are permitted to stay overnight outside their settlement unless the Raute Mukhiyas visit the Capital to meet high-level officers or for the treatment of the severely sick Raute. They don't move to other places only after someone in the community dies. Ten-fifteen years ago, they used to move after assessing the possibility of getting wood. But according to *Mahamukhiya* Mahin Bahadur Shahi, as far as he recalls the Rautes would walk in groups after leaving a settlement and wherever night fell, they considered that place as suitable shelter.

3.3 Population, Geography and Settlement

According to the 2011 Census, the population of the Rautes in Nepal is 618. According to the Census, Kusunda has the smallest population with 273 people, Nurang has 278 members, and Raute is the third minority group. Among these groups, the population of the nomadic Rautes was 137.

Like the nomadic group that now wanders in areas of Salyan, another group that wandered in Darchula, Bajhang, Bajura permanently settled through the initiatives of Jogbudha's *Pradhanpanch* (elected local leader) Nandalal Joshi, share the elderly persons. Since food grains were scarce in the Himalayan areas at that time, the Raute *Mukhiya* who frequented the villages to barter wood products with grains was helped to settle in Aampaani and Rajyeuda so that they could be close to the forests too. After settlement, the Rautes expressed that it was 'inauspicious' for them and wanted to leave the settlement many times. But Joshi persuaded them to stay back, says Ganesh Prasad Joshi, the Chairperson of Ward No. 12.

According to Laxmi—a local resident, although the Rautes have been living in Aampani and Rajyeuda for more than 34 years, they began getting married with the Kshetris only 10 years ago. *Bohora, Bista,* and *Khatris* have had love marriages with daughters of the Rautes and a Raute youth has married a Magar's daughter. The endogamous Rautes practice arranged marriage and only accept love marriages if marriage takes place outside their community. They have not yet practiced arranged marriages outside the Raute community. All the Rautes living around Salyan say their surnames are Shahi. They explain that there are three Shahis: Kalel, Raskoti, Samal but all those residing in Dadeldhura get their caste identity written as Raute.

The Rautes in Dadeldhura now register the birth of their children soon after birth and the youth get their marriages registered immediately after marriage. Not only that, they have been obtaining citizenship soon after coming of age. Since the government provides the endangered social security allowance based on these documents, they proactively work to get the papers on time.

3.4 Denial of Education, Agriculture and Settlement

The nomadic Rautes believe that studying, farming and settling permanently are three great enemies. The Rautes who have been living in Dadeldhura since 2041 B.S. also declined to study until late, providing evidence to the claim. After continued efforts, hardly five to six Raute individuals, amidst a population of about 600, have passed the SLC. In the last 10-15 years, they have slowly begun sending children to school. But the nomadic Rautes around Salyan express

that Raute should not study and do not allow outsiders to teach.

Rautes are fully against permanent residence. They reside on the base of the mountain and greenlands during winter for warmth and on mountainous areas during summer. Hence, they claim that Raute knows where they should stay in which seasons well.

3.5 Marriage Rites

The nomadic Rautes practice arranged marriages; they cannot marry whoever they want. If a young man has completed 16 years and likes a young woman who has menstruated, he can share his likings with the Raute *Mukhiya* or the guardians at home. If their proposal is accepted then only the marriage takes place. The Rautes celebrate the marriage day with the meat from wethers and home-made alcohol. The women also drink alcohol without any hesitation. It is mandatory to perform the Raute dance in the merry-making. The male and female who got married are also made to dance.

The newly married couples are provided a separate hut on the day of marriage itself. They host a communal feast on the day of marriage but the married couple stay separately and eat in their own kitchen the day after. The newly married couples are not allowed to stay with their families.

3.5.1 Obstruction of Marriage

The non-Raute, general youth might not think about marriage due to partaking studies laboriously or due to work engagements; some youths plan to not get married until they are self-reliant. With increasing modernity, some of them are seen unmarried long after coming of age because they want to get married to someone who understands their feelings.

A Raute young female Gajali is yet to marry not because of concerns for the future or because of any special work engagements, but due to the non-existence of a young person of marriageable age within the sub-group she is allowed to marry. The primary reason for Gajali to be unmarried even at the age of 28 is the non-existence of a young person in the *Samal* Raute sub-group that she can marry into. Her mother is *Raskoti*'s daughter and she is *Kalel*'s daughter. She cannot marry into either of these because they are within *haadnata* (related by bones) but the sub-group Samaal that she can marry into is yet to have young men who have reached marriageable age.

Due to the absence of Solidoli chalne kith and kins, a young Raute female has to wait until the boy crosses 15 years of age. The unmarried Samaal youth is just nine years old. Because he is too young, Gajali's marriage with him has not been determined. If Gajali has to wait for this boy to complete 15 years, she will be 34.

Even with about two dozen youth forced to remain unmarried because there are no Raute girls that they can get married to, the rule that they cannot marry outside the Raute community remains unchallenged. They fear that girls outside the Raute community might not agree to marry with the Rautes and therefore they might not take this huge social challenge.

3.6 Death Rites

The nomadic Rautes wrap the dead body and leave it at the base of a tree near the settlement if a child dies within 6 months of birth. All those over 6 months are buried in the frontyard of their huts on the day of death. They offer sacrificial blood of hen/rooster at the burial place.

After the burial, they eat meat and drink. They drink to forget the dead, argues *Mahamukhiya* Mahin Bahadur Shahi. After eating and drinking, they quickly move to a new place. They do not pronounce the name of the dead.

3.7 Some Unique Practices of the Raute Community

- The nomadic Rautes do not wear sewn clothes. They use needles to make the

absolutely necessary clothes on their own.

- No one is allowed to stay overnight outside the settlement. But there are some flexible practices concerning the treatment of grave diseases, and the Raute *Mukhiya* and other members assigned by the *Mukhiya* who commute to meet administrators of the Central government should let the community know where and for how long they are going
- The Raute do not count their members; they believe that counting results in decline of the population
- The Rautes consider water from spring to be pure and look for spring water when moving to new settlements. But in recent times, they also look for markets in the vicinity so they also use flowing water in case spring water is not found. They believe that piped water might be contaminated.
- The Rautes do not allow their women to comb their hair or to apply make-up. They do not allow their women to even put *tikuli* (colored dots on the forehead).
- The Rautes only eat barbecued meat. They claim that the taste of the meat is lost when cooked.
- The Rautes arrange marriages for young females within their kith and kin after they menstruate. The Rautes are not allowed to marry outside their community.
- In absence of Solidoli chalne (permitting marriage) kith and kins, a young female has to wait until the boy crosses 15 years of age. 28-year-old Gajali is forced to wait for a few years for the 10 or 11-year-old Samal boys to grow up since she can only marry in that Raute subgroup.
- The Rautes have arranged marriages. Earlier, the Raute *Mukhiya* would decide marriages between Raute boys and girls. But now there are flexible rules that allow marriages to take place with the guardian's permission.
- Polygamy is not yet seen among the Rautes. Widow and widower remarriage also do not happen. Gajali is not yet married because polygamy is not practiced.
- Huts are made and allocated for the newlywed couple on the day of their marriage. They do not use family planning products.
- They do not have sexual relations outside marriage, they do not sleep with other women.
- They collectively support the elderly, single women, disabled and children.
- If people have things they need, the Rautes ask for them but do not steal.
- The Rautes bargain while buying the things they need but they take things only after paying their prices. Even if they eat collectively, they pay individually.
- They eat collectively when food is ready but do not wait for the household head or any member.
- They pray to their gods at midnight.
- When children make mistakes, Raute suggests not repeating the mistakes but do not beat them.
- They do not lay hands on anyone during quarrels or when they have differences of opinion. They express the situation to the *Mukhiya* and seek a solution, so they do not have violent fights.
- The widow's door is on the opposite side of the house; for example, if the doors of others face East, a widow's door faces West.
- If any member dies, they leave the settlement and look for a new shelter.
- When they change their residence, they do not go further than half a day's distance. They collect all the necessary belongings from the same day they leave a settlement.
- They do not use scissors to cut their hair; they use blades if absolutely necessary. But they do not cut the hair of children below 10 years old.
- Rautes do not keep their women outside the house during menstruation or

post-delivery; they do not discriminate.

- They do not go to places where one of their community members has died for 12 years. They call that place *"haad pareko"* (bone has fallen).

4. Problems faced by Raute community and its Impacts

15 members of the Raute community have died since 2077 Magh. It is guessed that these endangered Rautes have lost lives due to cold and excessive drinking. Salyan's Chief District Officer (CDO) Laxmidevi Humagain shared that 15 people died while residing in Dailekh's Gurans Rural Municipality, Surkhet's Chinggang Rural Municipality, Salyan's Kalimati and Surkhet's Gurbhakot. The total population of the Raute was 156 in 2077 Magh. Now they are 141 and during this duration, four children were born, reported CDO Humagain.

'A majority of children are found to suffer from pneumonia in winter. But they do not go for treatment even when they are sick. That is why there has been a rise in the deaths.' According to a Raute activist Nagendra Upadhyay, the number of female Rautes is 69 and the male is 77. Among them 23 are below the age of 5, 24 are between five and 10 years, 15 are between 10 and 15 years, 11 between 15 and 20 years, and 73 members are above the age of 20. The number of single women is 11.Drinking alcohol is becoming a huge problem in the Raute community. People working with the Raute report that both men and women are addicted. Salyan's Bangad Kupinde Municipality's Mayor Govinda Kumar Pun expresses that drinking has been a problem in the Raute community. Both men and women are addicted to alcohol.

In the past, the nomadic Rautes did not believe in allopathic treatment but this perception has changed in the last few years. The Raute community, distant from permanent settlement, modern treatment techniques, education, agriculture, and animal husbandry, and leading nomadic lives in Karnali Province and neighboring jungles have been slowly residing near village settlements. Nevertheless, with their closeness with people from other communities, the Raute community is not free from various diseases, infections and other interventions.

The Vice-Chancellor of Mid-Western University Prof. Dr. Nanda Bahadur Singh, who is also a biologist, claims that the protection of Raute lineage is a significant question. He says that in the absence of protection of the Raute rites and culture of the Raute, we need not wait long for their identities to be lost; it is a misfortune that a rare community like the Raute having lineage, culture and separate language is at the verge of extinction. This community is forced to migrate at short durations because of the trend of moving places at the death of a member.

5. Encroachment in the fundamentals of Raute

Two girls (23-year-old and 19 year-old each) from Raute community of Gurbhakot Municipality-11, Surkhet were taken to the hotel of Milan Pun, 29, at Gurbhakot Municipalityu-9, fed alcohol and were sexually abused by Chaman Gharti, 35, and Bhupendra Budh, 24 on June 4, 2021. Video of the abuse was disseminated online. This demonstrates the increasing trend of encroachment of other people in the fundamentals of Raute community and has increased the security risk among Raute people.

A field study was conducted on this issue by the team of Human Rights officers in coordination of INSEC on June 11 and 12. In the course of study,it was found that the general people had been taking advantage of the innocence of Rautes who were trying to assimilate with other groups. Lack of legal knowledge along with knowledge about information resources and social media added the security threat in the group.Karnali Province's Social development ministry's women division has to take a lead to con-

clude the incident and also coordinate and cooperate with the stakeholders regarding bringing the perpetrators to the book. This will alert other communities regarding the behaviour towards Raute.

Concerned bodies of Nepal Government shall dispose the video disseminated online, Nepal police and law executing authorities shall discard the false accusations and information against Raute community spread across media, social medias and other mediums, concerned bodies shall work on assuring justice to the victims seriously and in recommendation of the institutions working for the upliftment of Raute community, local government shall form a Raute police and implement the same.

Necessary policies and programs shall be brought to safeguard the culture and unique identity of Rautes. Media or bodies that are involved in the dissemination of false information against Raute shall be brought in the ambit of law. Local government and security agencies shall work on ensuring access to information on reproductive health and materials related to reproductive health to the community and refrain the encroachment from other communities in the Raute community.

6. Legal Provisions and Role of State

6.1. National Legal Provisions

Although Nepal's Constitution declares all citizens are equal under the law according to sub-article (1) of the Article 18 of the Fundamental Rights related to right to equality, the sub-article (3) does not prevent special arrangements under the law for the protection, empowerment or development of socially and culturally marginalized castes, class, areas, gender, or minorities. This study facilitates to draw the State's attention towards additional programs and effectiveness of the current programs for the endangered Raute community in accordance to sub-article (3).

6.2. Role of State in Solving the Problems

6.2.1. Provision of Identity Card

Gurans Rural Municipality had distributed identity cards to all members of the Raute community on 2075 Shrawan 30 because they were spending nomadic lives around Dailekh district. The primary reason for the Municipality to distribute identity cards was to obtain factual data on the Rautes and to organize the services/facilities provided by the Government, says Khemraj Oli, the President of Gurans Rural Municipality.

A group of the Raute community has been residing permanently in Dadeldhura's Parashuram Municipality-12, Aampani and in Ward no. 4's Rajyeuda in the last 34 years. Some children of the Rautes in Aampani have also joined school. Some youths have obtained citizenship certificates and are working as Forest guards, in the Police and also in the Army. The Rautes in that place exhibit that they are back to their normal lifestyle.

The group that was recently provided identity cards in Dailekh are the only Raute people that lead a nomadic lifestyle. The statistics provided by Gurans Rural Municipality indicates that there are only 149 Rautes. Before this, the social security allowance was provided in their settlements on the basis of names provided orally. After they obtain new identity cards, they are provided government and non-government facilities based on the new cards.

6.2.2. Allowance for Endangered Indigenous

Nepal Government has listed 10 communities with less than 10,000 population as endangered indigenous communities and has been providing them with social security allowance. The Rautes also get this allowance.

It was with the commencement of the Social Security Operating Procedure that the 10 endangered indigenous com-

munities received social security allowance, being provided by The Ministry of Federal Affairs and General Administration, for the first time in fiscal year 2065/066. This allowance is twice the amount of the Senior Citizen's allowance. The Senior Citizen's allowance then was Rs. 500 monthly and so the endangered indigenous social security was twice the amount, i.e. Rs 1000. From the fiscal year 2073/074 the Senior Citizen's allowance and allowance for single women was raised to Rs 1000 and from the same year the endangered indigenous community social security allowance of Rs 2000 was distributed.

The 10 endangered indigenous communities are: Bankariya, Raute, Surel, Hayu, Raji, Kisan. Lepcha, Meche, Kushbadiya and Kusunda. All the members of these communities, including newborns, have been receiving the endangered indigenous ethnic community social security allowance each month.

The Parashuram Municipality provided allowances to the Rautes with permanent settlement in Dadeldhura but in Dailekh, the Rural Municipality or Municipality where the Rautes currently resided would have to request the Ministry of Federal Affairs and General Administration for allowances; this prevented the Rautes from receiving the allowances on time. Because of this problem and with the long-term goal of establishing a permanent settlement, the Gurans Rural Municipality provided 149 members of the Raute community (according to the population at the time) with identity cards in agreement with the Ministry of Federal Affairs and General Administration. But the Raute *Mukhiya* Suryanarayan Shahi accepted the identity card on the condition that the State would not force them to obtain citizenship later.

After the identity cards were made, the Council of Ministers, on 2075 Jestha 30, decided that no matter where the Rautes went, services/facilities including social security allowances would be distributed through Gurans Rural Municipality.

6.2.3. The Raute Project

Social Service Center (SOSEC) has been running a project to help the nomadic Rautes return to normal lifestyle. Raute project helps the community by providing warm clothes in winter, tent to diverse water from the roof and medicines to ease their lives. Gurans Rural Municipality distributed identity cards to the Rautes in accordance to The Raute Project's concept, says Gurans Rural Municipality's President Khemraj Oli. Before the Raute Project, Raute Upliftment Foundation helped with food, clothing, and other necessities and took initiatives for timely distribution of social security allowances. The President of Raute Foundation Satyadevi Adhikari, who has been working to improve the lifestyles of the Rautes, is popularly known as 'Raute's niece.'

6.4. Possibility of Permanent Settlement

A person whose perception cannot be changed is known as having *"Raute dhipi"* (Raute stubbornness). Even people who have never seen the Raute know this proverb by heart; this clearly indicates that changing the perceptions of the Raute is a difficult task. But the work done by the Raute Project, The Raute Foundation, and Gurans Rural Municipality indicate, albeit faintly, that change is possible with continued efforts.

In the past, the Raute rejected the use of medicines under any circumstances but now they apply tincture and betadine in wounds and injuries that bleed. They used to drink water from the springs only but now they use piped water to wash the dishes. Earlier it was not allowed to stay overnight outside the settlement, now they are allowed to stay overnight as needed after informing the *Mukhiya*.

Although the Rautes claim that they do not want to return to normal lifestyle, actions like meeting the President, Prime minister, Chief Minister, local

chiefs and CDOs, putting forth their problems and seeking warm clothes, food, and other necessary items, and merry making hint that they can return to normal lifestyle with continued efforts.

Journalist Bhakta Shahi, who has been working with the Rautes for long analyzes that since the Rautes relish mobiles and videos, these audio-visual media can be effective in changing them. He contends that videos can be effectively used to help children learn letters during the day and to highlight the importance of healthy behavior and cooked food in the evening.

If the Rautes spontaneously want to return to normal lifestyle then such activities should be implemented otherwise arbitrary activities by non-government organizations and some government organizations might only be pretense and unsustainable. The implementers of the Raute Project or other immediate help providers need to help them provide necessary materials to cope with monsoons, winter or other difficult times.

The Rautes sell the items like pfoam and readymade clothes (which they are given but do not need) for much lesser than market prices. If the Rautes have food grains in their shelter and they are additionally given food grains, they are found to sell them in lesser prices. They never store for more than five to seven meals. If they have more than enough, they sell or throw things.

The local government should strictly inform the inhabitants of any place where Rautes go that they should not buy anything given to the Rautes. If the trend to punish the act of buying things given to the Raute is not set, there is risk of the resources being misused. It will be beneficial to establish one door policy to provide help or services.

7. Conclusion of the Study

The Raute community has been found to slowly leave their traditions and embrace the culture of other communities. Wearing sewn clothes, eating food from the market, begging, wanting to interact with people from other communities, etc. are evidences to prove that they have been changing. But chaotic lifestyles, addiction, chemical-laden foods have diminished their ability to blend with nature causing them to lose lives due to various diseases and problems. The study concludes that the Rautes receiving allowances from the Government have been protecting their culture and are keen on leading an easy life.

8. Suggestions

- Take necessary initiatives towards institutionalization of Raute's language, and culture
- Arrange necessary food materials and nutritional food and clothing for the Raute in lieu of allowance
- Construct Raute Policy with their active participation to ensure fair arrangements for education, health, food and housing
- Raise awareness for cleanliness, nutrition and healthcare

References

1. Central Bureau of Statistics
2. Ministry of Federal Affairs and General Administration
3. Ministry of Social Development, Karnali Province
4. Lekbesi Municipality, Surkhet
5. Gurans Rural Municipality, Dailekh
6. Social Service Center (SOSEC), Nepal
7. Raute and Endangered Castes Upliftment Foundation
8. District Coordination Committee, Salyan
9. District Coordination Committee, Dailekh
10. Parashuram Municipality, Dadeldhura
11. Local newspapers and online
12. Reports on the Raute

Chapter 3

3.7 The Badi Community: The Issue of Children's Rights

Background

Badi, in Sanskrit, means a community or a group that plays instruments. In Nepal, the Badi community resides in some districts of Sudurpaschim (far-western) and Karnali Provinces. According to the 2068 Census, the population of members of Badi community in Nepal is 38,606. Researchers differ in opinion and analysis on the origins of the Badi community who have long been facing discrimination and exclusion.

Before the unification of Nepal, the *baisi-chaubisi rajya* (22 and 24 princely states) used to engage members of the Badi community in their palaces for singing, dancing and entertainment on auspicious occasions like worships, *bratabandha* (sacred thread giving ceremony), and wedding, to name a few. The person playing an instrument was called *Wadak* and the person engaged in dancing or acting was called a *Patra* or *Patri*. It is believed that these words semantically drifted into *Badi* and *Patar*. According to a report issued publicly by the Ministry of Women, Children and Social Welfare, this community, residing in Nepal's Salyan, Jajarkot and Rukum since the 18th Century now resides all over Nepal[1]. Social structure and culture seem to have pushed this community, traditionally engaged in dancing, singing, crafting and selling musical instruments at the then palaces and the houses of the feudal or the rich, into the circle of discrimination.

The Badi community has long been suppressed in the vicious circle of caste-based discrimination and harassment. Structural violence (caste and gender based) against the Badi women has subjected the past, present and future of this community to confusion. Badi community has been suffering from the vicious circle of caste-based discrimination and untouchability for ages. The impacts of ill-treatment and sexual violence faced by the Badi women has resulted in difficult livelihoods for the children of this community.

The Badi Community in Sudurpaschim Province

The Badi Communities who have been residing in various parts of Tikapur Municipality of Kailali district claim to have migrated from Salyan in 1950 A.D. (2007 B.S.) In the past, the Badi communities were used to a wandering lifestyle and did not have a permanent residence. The Badi community in various districts of Sudurpaschim and Karnali Provinces have migrated to and been living in Kailali and Kanchanpur districts.

The Badi communities also have residences in Hilly districts of the Sudurpaschim Province and places of Kailali district including Satti, Muda, Balchaur,

1. https://mowcsc.gov.np/downloadfiles/fUL38AgqcoyggTNMKzzyiVQmsfU7xcxj3jUhisPH-1625551872.pdf

The Badi Population in Sudurpaschim Province				
S.N.	District	Women	Men	Remarks
1	Kailali	1314	1508	2822
2	Doti	1291	1667	2958
3	Achham	374	408	783
4	Bajura	889	989	1878
5	Bajhang	191	253	444
6	Kanchanpur	566	692	1258
7	Dadeldhura	134	127	261
8	Baitadi	115	117	232
9	Darchula	77	73	150
Total		**4924**	**5834**	**10758**

Source: Nepal Census 2011

and Chauki dada. Members of the Badi community have been earning livelihoods by playing musical instruments, singing and dancing, making pottery, fishing, engaging in daily wage labor and providing cheap labor in various cities of India. The Badi community has been facing problems like inadequate land ownership, poverty, difficulty in obtaining citizenship, caste-based discrimination, illiteracy, unemployment, homelessness, social-cultural discrimination, and inadequate access to services and facilities provided by the State. The Badi community is yet to realize education, health, employment, participation and self-respect. Although the Badis have been known as a community rich in traditional arts and culture in a historical period, social discrimination towards the members of this community and their misuse as means of entertainment has prevented generations from escaping the cycle of injustice.

In the Sudurpaschim Province too, this community is known to be engaged in singing, dancing and playing musical instruments. The Kings and Princes, village heads and landlords of hilly areas used the Badi community for dancing, singing and entertainment in events such as weddings and festivities. After the onset of migration, this community has been residing in Kailali and Kanchanpur districts of the Terai and other districts of this Province.

After the Badi women engaged in a half-naked procession for 48 days in front of the West-gate of Singhadurbar, on January 7, 2009, the Council of Ministers declared them free of sexual exploitation and announced their rehabilitation. Although the struggle for freedom from the suffocation of harassment and suppression led to declaration of freedom from sexual exploitation of Badi women on paper, it is yet to be materialized in practice. Sexual harassment and structural violence on women have severely violated children's rights. It is evidently essential for relevant State bodies to take the responsibility of ensuring the right to identity, education, health and fundamental rights of children of Badi community. Since children are considered as change makers to end the circle of class and other harassment prevalent in the society and lead the journey towards development, it is imperative to understand their problems through this study.

Objectives of the Study

- To study the problems of children in the Badi community
- To ensure the fundamental rights to the Children from Badi community and improve their status by ensuring the contribution and roles of all three levels of government, policy-makers and civil society based on the information and knowledge obtained from this study

Scope of the Study

This study is limited to Kailali and Bajhang districts of the Sudurpaschim Province. It only covers the situation of rights and identity of the children from Badi community. The study is focused on the laws, policies, National Action Plan promulgated in order to ensure the rights to the children from Badi community and the effective implementation of the court

orders. This study is concerned about the education, health, birth registration and citizenship rights of the children from Badi community.

Study Methods

Meetings and discussions were held with community members, representatives of various unions/organizations, representatives of government bodies, people actively working in the issues of the Badi community, lawyers, representatives of political organizations, social service providers, and the intellectuals to analyze the commitment of the government to ensure the rights of the Badi children and the state of the implementation of these commitments. Similarly, articles and books, various research reports, various national and international laws related to the problems and concerns of the Badi community were taken into reference for this study. Conversations, discussions, interactions and question-answers were conducted with the stakeholders during the study in an effort to analyze the status of the rights and identity of the children from Badi community in Kailali district.

Relevance of the Study

Although constitutional, legal and policy provisions have ensured self respect, access to empowerment and other rights of children from Badi community, their effective implementation is yet to be seen. The Supreme court issued a mandamus order in 2005 suggesting the Government not to deny birth registration of any children—including the Badi children—who are unaware about the whereabouts of their fathers on the grounds of not having a father, and to make immediate arrangements to provide citizenship to such children under section 3(2) of Citizenship Act 2020. Despite this order, Badi children have been denied birth registration and citizenship on the grounds of not knowing the identity of their father. The Badi children without birth registration and citizenship have not been able to access the services and facilities provided by the government, including scholarships. Because of the problems of identity, children from the Badi community have been forced to leave school and escape to India. Even today, the children from Badi community faces discriminatory practices at schools, health institutions, and government bodies. The archaic perspective about the children of the Badi community has not been changed yet and self-respect, identity and rights of the children of the Badi community have not yet been ensured.

Analysis of the Problem

The Badi community has been economically, socially, culturally, and politically oppressed. This community has been left behind by the State, disdained, untouched, exploited, extremely marginalized, and ostracized since years. The children of this community have faced discrimination since ages due to poverty, illiteracy, unemployment, superstitions, traditional norms and values, and absence of effective implementation of the laws.

There are problems in birth registration, admissions at schools, and getting citizenship for Badi children whose father's identity is unknown. Children deprived from citizenship's right are also deprived of the services and facilities provided by the State. The Badi community has weak economic and educational status. This has hindered the children of the Badi community from conducting trade and business as well. The children of the Badi community do not have access to education, health and employment. Although the constitution of Nepal has ensured compulsory and free elementary education to all the children, it is yet to benefit the children from Badi community.

The Situation of the Badi Community in the Settlements of the Sudurpaschim Province

1. The Situation of the Badi Community in Kailali district, Tikapur Municipality-8, Satti Suryapur

Fiftys families of the Badi community who migrated from Salyan have been residing in Tikapur Municipality-8, Satti Suryapur. This community with permanent residence in Satti Suryapur since 1953 has a total of 250 members. There are 50 children below the age of 18. Ten men and five women above the age of 60 have been receiving social security allowance. This community with 12 persons with disability does not have access to education, health, food, housing and employment. Children below 18 years have been dropping out of the school due to economic deprivation and seeking work in India. Members of the Badi community without employment opportunities have been earning livelihood by fishing in the Karnali river, making nets and fishing equipment, making the *madal* (musical instrument), dancing, singing and begging.

The government has not been able to run programs focused on the livelihoods and economic empowerment of the Badi community, says Rajeev Nepali, the President of Satti Suryapur Social Support Committee. The women of the Badi community have been facing problems because of their engagement in sex as a profession and registering birth, obtaining citizenship and national identity card for children whose father's identity is unknown. Even after visiting the ward office, Municipality and Area Administrative Office for seven days, an individual could not obtain a citizenship and was forced to leave for India without a citizenship, says Radha Nepali, a local resident.

The employees of the concerned bodies ask the mothers who go to obtain Nepali citizenship to fetch the father's citizenship, delay processing pointing to various reasons, look down on them; the women even face mistreatment, says another local Meera Nepali. Even if someone is provided with a citizenship, the mention of 'father's whereabouts not known' has caused additional social insult, says Manakumari Badi-a local. Although birth registration, school registration and obtaining citizenship have been somehow easier compared to the past, not all children have easy access to this right. Ankit Nepali, another local resident shares that some of the children and young females seeking employment in India have been forced into the sex work. Although survival, protection, participation and development are key rights of the children, the children of Badi community have outrightly been deprived of these rights.

The Municipality Deputy Mayor Scholarship Program and Mayor Technical Scholarship Program aimed at the needy, helpless, downtrodden, marginalized communities will prioritize the children of the Badi community. Since the children of the Badi community do not have access to technical education they have not been able to benefit from the Mayor Scholarship Program, therefore the Municipality is planning to enhance the access of the Badi children to technical education, says Mayor Rawal.

2. The Status of the Badi Community in Jayaprithvi Municipality-10, Chainpur

The Badi community resides near the *Khulla Manch* (open platform) in Bajhang district, Jayaprithvi Municipality-10, Chainpur. 12 families of the Badi community with 37 members including nine children have been residing here since four generations. Seven of the nine children are studying at the public school. Two children have been deprived of education due to economic hardship. Since the traditional occupations of the Badi such as fishing, making net, making the *madal* and *sarangi* (musical instruments), making pottery have been in crisis, they have been struggling for two square meals a

day, reports Harina Badi. Harina Badi's 13-year-old Manoj Badi exclaims that although he wants to go to school he doesn't feel like going to school when he sees his parents struggling to feed the family through begging. Manoj currently studies at grade seven in Satyabadi Higher Secondary School, Bhojpur. The children of the Badi community have been struggling even to buy notebooks and pens due to economic deprivation. People in this community have not been able to be free from the anxiety of managing two square meals a day. Manjuri Badi reports having to drop out of school because of not having money to get admitted at school and to buy notebooks and pens. She says, "My father died very young. My mother cannot work. If I go to school, there's no one at home to take care of mother and to perform household chores. If I don't work then we have no food to eat. We live by the money we get by washing the dishes and cleaning toilets at other people's houses. My wishes to go to school will never materialize."

Although the government has provisions for free education and scholarships, the children of the Badi community are asked to pay fees under different headings which has resulted in their school drop-outs. The children of the Badi community have not been able to buy notebooks and pens with the amount of scholarship money received from the schools. The Badi community has been facing economic hardships since the government has not been able to create job opportunities for them according to their skills and abilities, and traditional occupations like fishing, making earthenware etc., says the local inhabitant Kitthi Badi. Kitthi expresses sadly that they used to run the household with the income generated from fishing and making pottery while her husband was alive, but after his death she has been struggling to make ends meet.

Amar Badi, a local resident, shares that five under-aged children got married in the Badi community near Chainpur. Parents cannot admit their children because schools ask for fees and those admitted also drop-out in the middle, says Mausam Badi-another local. Keshari Badi, another local, sadly expresses that in the past people used to invite them for singing and dancing and pay them decently but since this tradition has been eliminated it has been difficult for them to raise their children, and they have to resort to begging to run the household.

Bhuwan Badi shares that she gave birth to eight children but lost six of them due to malnutrition. She says that many Badi families do not have a single living child because of malnutrition.

Birendra Bahadur Khadka, the Mayor of Jayaprithvi Municipality says they have paid off the loans that the Badi community had taken and provided them with warm clothes and foods. He said that they are facing challenges in investing in the Badi community since the Badi community disagreed with the Municipality to set aside a budget for the Badi to run a profession or business.

3. The Status of the Badi Settlement in Kailali District, Lamkichuha Municipality-3, Balchaur

191 families of the Badi community have been residing in Lamkichuha Municipality-3 Balchaur of Kailali district. The community living in the forest area attached to the East-West Highway has a total population of 978 out of which 365 are women, 344 are men and 279 are children. Although the children of the Badi community are found at the Child Development Centers (CDC) and Primary Schools, they have been facing problems for obtaining Secondary and Higher-level education due to financial constraints. Because of the inability to pay the fees fixed by the Schools, children of the Badi community have been dropping out of school and leaving for India for employment. Although the schools where the Badi children are studying receive scholarships

from the Government, they do not have seats allocated for teachers. These schools have been running with teachers on relief quota. The CDC has been operating with the support of the various organizations. The elders of the Badi community alleged the Government of not supporting the functioning of the CDC. In the past, it had been difficult to register birth and obtain citizenship for children whose father's identity was unknown but the Supreme Court's order of 2007 has facilitated this. Yet, the citizenship of the members of the Badi community mentions *Bhad, Patar, Badeni;* this has affected our self-esteem, complaints Nandaram Badi, a leader of the Badi community. He expresses that replacing words like *Bhad, Patar, Badeni* with desired surnames would save them from social insults. Even now, the right to education, health, employment and housing for members of the Badi community have not been fulfilled. The Badi community sidelined for years still faces exclusion, neglect and contempt. Although the Constitution envisions participation based on proportional inclusion, the Badi community is yet to have access to political, social, and cultural areas. Although the political parties express various commitments during elections, they neither show active engagement nor concerns in solving the problems faced by the Badi community, shared Parbati Badi who is a ward member of Lamkichuha Municipality-3. Due to the economic hardships of the families, the children of the Badi community are compelled to leave school in the middle of the school years and offer cheap labor for strenuous jobs in various Indian cities.

4. The Status of the Badi Settlement in Kailali District, Godavari Municipality-3, Chaukidada

The members of the Badi community who migrated from districts of the Sudurpaschim Province including Bajura, Bajhang, Doti, and Achham currently reside in Malika Tole of Godavari Municipality-3, Chaukidada of Kailali district. Of the 32 families that migrated from the hilly districts of the Far-West at different times, seven individuals have land titles with areas between five and 10 *dhur*. The other 25 families have no land titles. In the absence of adequate land due to the expansion in family members, 25 families have built temporary settlements in the Malika Community Forest area adjoining the East-West Mahendra Highway. These families earn livelihoods through labor (carrying bricks and stones), begging, and few by working daily wages in Shimla, India. The scholarship of NPR 400 provided for the education of children is not enough to buy educational materials, says Mitthu Badi, a leader of the Badi community. There is only one public tap for the 25 families living in the community forest area adjoining the Mahendra Highway. There are no toilet facilities and they do not have electricity. People living in these temporary huts have been sleeping on beds made out of straw. The members of this settlement have to rely on others even to manage two square meals a day. The youth of the Badi community express that if the government offered skill-based training and income generating programs, it would facilitate their livelihoods. It has been a struggle to provide basic food to the children, medicines and treatment due to economic deprivation, complaints Sitadevi Badi. The Deputy Mayor of Godavari Municipality Ms. Ratna Kathayat shares that the small annual budget of 2-3 lakhs, they have been appropriating is not enough to address the complex problems of the Badi community. She added that it is necessary to develop programs for skills and capacities development and income generation for the community based on the study of their conditions.

Government's Commitments and their Implementation Status

The Government had officially formed a task force on October 2, 2007 be-

cause of the movements conducted by the Badi community from time to time and particularly in response to the 64-day long movement centered in Kathmandu. Taking the recommendations of the task force into consideration, a two-point agreement was signed between Badi community and the Government, represented by the leader of the Badi community Umadevi Badi and the then Peace and Reconstruction Minister Ramchandra Paudel respectively. The second point of the two-point agreement mentions providing scholarships to the children of the Badi community but its effective implementation is yet to be seen even after 14 years of the agreement.

Supreme Court's Order for the Protection of the Rights of the Badi Children

On September 15, 2005, the Supreme Court ordered Nepal Government's concerned authorities, members of the Badi community and organizations studying the Badi community to understand the problems of the Badi community, to prioritize and implement the solutions for these problems and to inform the Supreme Court about their activities. The same order instructed not to deny birth registration to any children, including the childrewn from Badi community merely on the grounds of not knowing the whereabouts of the fathers, and make immediate arrangements to provide such children with citizenship based on section 3(2) of the Citizenship Act, 2020. Although this order by the Supreme Court facilitates the members of the Badi community to obtain citizenship in their mother's name, they have been facing problems in the absence of the effective implementation of this order. This has hurdled the protection of right to identity of the children from Badi community.

The Public Housing Program

The Public Housing Program has been operated in districts of the Sudurpaschim and Karnali Provinces with dense settlements. The needy members of the Badi community have not been able to benefit from this program because land titles are needed to secure housing according to the program directives.

The Badi community residing in Balchaur in Kailali, Satti Suryapur in Tikapur Municipality having land titles have houses built under The Public Housing Program. However, a majority of the Badis are squatters and have not been able to receive the program benefits. The economic condition of the squatters Badi community is poor and their children have not been able to live in a protected environment. The children of the real Badi community are still forced to live in hardships in temporary houses and huts.

Special Scholarships Procedures, 2015

This procedure was intended for students in higher education coming from low-income communities like the *Dome, Badi, Chamaar*, and for students from the *Musahar* community pursuing a Bachelors in Engineering or Medicine. This procedure enacted in the Fiscal Year 2015/2016 required applicants to secure first division in the School Leaving Certificate from community schools. Since the children of the Badi community have not obtained first division from community schools they are deprived of this opportunity. This procedure has also deprived Badi students who have secured first division from other types of schools.

Conclusion

Despite caste-based discrimination, untouchability and social discrimination being constitutionally and legally punishable, in the absence of effective implementation the Badi community and their children are still facing caste-based discrimination, untouchability, harassment, and social discrimination. A majority of the members of the Badi community,who have earned livelihoods for centuries by singing, dancing, and begging, and lived nomadic lives, do not

have permanent land and housing. Registering birth and obtaining citizenship is still difficult for the children of the Badi community whose identities of the father's not known. The children of the Badi community, who face extreme ostracization and discrimination even within the Dalit communities, are forced to dropout of schools because of their inability to pay fees and offer cheap labor in return for difficult tasks in various Indian cities. The children of the Badi communities residing in the Hilly districts have been suffering from hunger and diseases. Children in families within the Badi community facing economic deprivation have been practicing child marriage. A lack of plans and programs for ensuring the rights of the Badi community and their children is seen at each level of government: Federal, Provincial and local. No change can be seen in the society's perception blinded by archaic values, opinion and behavior towards the children of the Badi community. Even the local government that is closest to the community does not have long-term strategies and plans for ensuring the rights of the children of the Badi community. Although political parties have been expressing commitments to the education, health, housing and employment for the Badi community, these issues do not seem to be their priority post-election.

Suggestions

- The movements led by government and non-governmental organizations against caste-based discrimination and untouchability should be operated effectively and the laws against untouchability should be implemented effectively since caste-based discrimination, untouchability and social discrimination against the Badi community and their children is still prevalent.
- The majority of the Badi community have exhibited problems of land and housing, so all the three levels of government should formulate and implement short-term, mid-term and long-term plans and programs to combat these problems.
- Since the Badi community has weak economic conditions, this has direct impacts on the education, health and security of their children. Hence, the provincial and local government should operate skill-based and income generating programs for economic empowerment of the Badi community and make them self-reliant.
- The Supreme Court's order issued in the name of Nepal government has to be effectively implemented and the legal provision for obtaining birth registration and citizenship thorough mother's name for the children of the Badi community whose father's identities are unknown should be additionally made easy and simplified and should be implemented effectively.

Source Materials

1. The Act Relating to Children 2075
2. The Act Relating to Children, Section 5(1)
3. Convention on the Rights of the Child Part II
4. Nepal's Constitution 2072, Article 39(1) and Article 40(2) of the Fundamental Rights
5. The 2076 study report titled 'Badi Community's Identity and Status' published by Community Empowerment and Transformation Committee Nepal
6. The 2078 study report by Yes Nepal on youths in empowerment of the Badi Community in Balchaur in Kailali district concerning the social, cultural, economic status (and future path)
7. 1226_1357136650_field-bulletin-the-badi-community-of-nepal-issue-50.pdf (ecoi.net)
8. Nepal's Badi community finds itself in a bottomless pit of despair (kathmandupost.com)

Annex 1

Facts Related to Human Rights Violation and Abuses in 2021

Things to be mentioned

1) This publication hasn't included any cases beyond 2021 the mentioned year unless needed. Most of the information related to the cases here has been written after visiting the spot of the incident and has been verified by the police, victims, accused and legal bodies.
2) The topics have been divided and data has been presented referring to the six international Human Rights treaty bodies (ICCPR, ICESCR, CAT, CEDAW, CRC, CERD) ratified by Nepal.
3) The facts of the Human Rights Violations and Abuses have been categorized into two types:

a) Human Rights Violation from the side of the state has been mentioned as 'By State'.

b) Human Rights Violation and Abuses from beyond the state has been mentioned as 'By Others'. Here others mean- different armed groups, unknown groups, political parties, family members etc. Detailed facts regarding this has been mentioned in Annex 2. Generally, incident of crimes have been included in the facts without details.

4) Names of the local levels may have some errors. We expect suggestions from the respected readers regarding the errors.
5) Facts mentioned about the Right to Assembly talks about the arrested and injured victims only.
6) Information received by the legal/ semi legal units, media, witnesses are mentioned only after proper verifications.
7) Number of inmates mentioned in the publication is based on the data till the end of 2021.
8) Information about education, jail, health and legal bodies were taken from the relevant offices.
9) Women, Children and Senior Citizen Service Center is the body within District Police Office.
10) Sent for judicial custody means the case is ongoing. Released on bail also means the case hasn't been resolved.
11) Rape victims are kept anonymous and their identity has been hidden in every way possible.
12) Netra Bikram Chand led Biplov Party has been mentioned as banned Communist Party of Nepal.
13) Incidences related to Human Rights Violation and Abuses which hasn't reached the district's legal or semi legal bodies and INSEC representatives hasn't been included.

14) Since the Constitution of Nepal considers below 18 as minor; the book too presents them as minor.
15) Vacant positions in the sector of health, schools, courts etc. have been emphasized because this creates constraints in Human Rights.
16) Details regarding the scholarship to the marginalized Dalit and disabled has been mentioned letting the relevant readers know their status.
17) Cases related to displacement and destruction of property has been included in Economic Social and Cultural Rights.
18) Names of the places may appear different due to the pronunciations of local accent and language.
19) Total population of the district with the disintegrated data of male and female has retrieved from the preliminary report of the National Census 2021. The remaining demographic information are used as per the reference of "Central Bureau of Statistics' Demographic Projection 2016".
20) Carefulness has been undertaken while including the data, making sure there aren't any error. If found any; then the facts mentioned in the main source is considered authentic.
21) Cases of jail and detention are included under the category of human rights violation.
22) Provincial assembly declared Madhesh Province on January 17, 2022 which is earlier to the date of this publication. Considering the changed context, it has used Madhesh Province instead of using Province 2.

Other Sources of Data

1) Brief report of the Central Bureau of Statistics-2016
2) Local social organizations and people
3) Local legal/semi legal, administrative, media and security related bodies
4) Nepal Human Rights Year Book from 1992 to 2019
5) Books and documents found in the INSEC library
6) Data related to education- District Education Office, health related date- Department of Health Services
7) Ministry of Federal Affairs and General Administration
8) Preliminary report of the National Census 2021.

Province 1

- Area: 25,905 sq.km.
- Population: 49,72,021
- 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

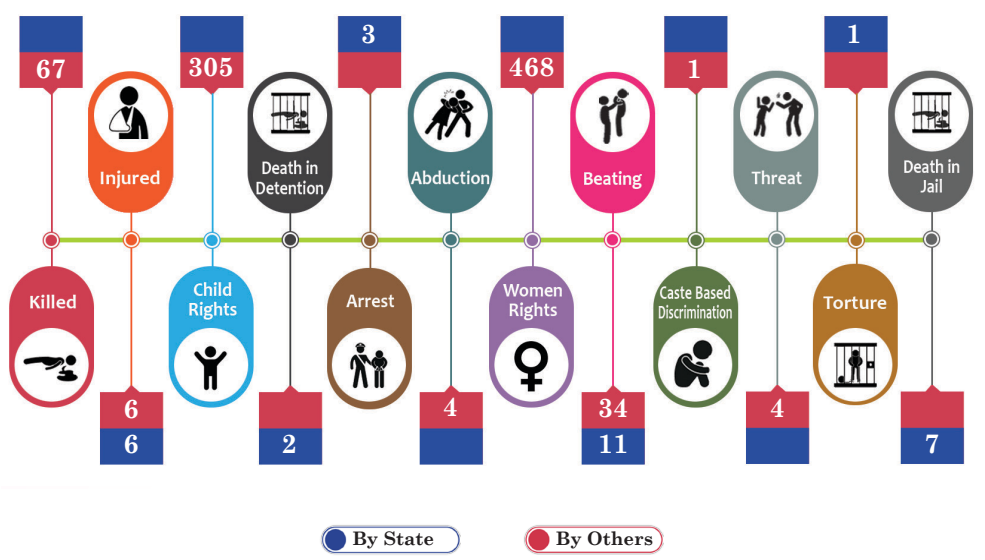
Introduction Province 1

The government of Province One adopted the policy of clean, prosperous, and upraised province this year. Twenty one laws were promulgated till the end of 2021 by the provincial assembly. There were programs to ensure the rule of law in the mobilization of stakeholders for the assurance of respect towards human rights, rule of law, enhanced self-defense, and just society.

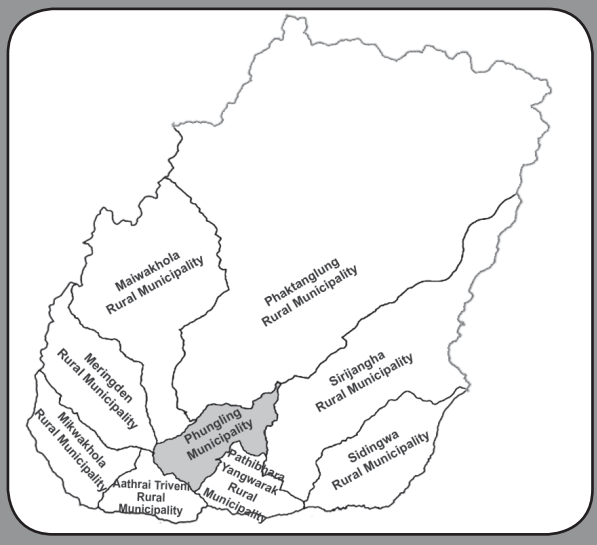
There are Purbanchal University and Manmohan Technical University in this province. Likewise, there are 196 colleges and 6,528 schools. This year, 2200 houses were handed over through the People's Housing Programme to the targeted population. The government of Province One established a COVID-19 dedicated hospital for ensuring the treatment of the infected persons. This year, 1, 08,632 persons were diagnosed with COVID-19, and among them 2,192 died. One hospital came into operation among 86, whose foundation was laid on November 30, 2020 under the "One Local Government One Hospital Program" of the federal government. The remaining 85 hospitals were under construction.

There were 30 victims (2 female and 28 male) of Human Rights violations and 889 victims (819 female and 70 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; 11 were victims of beating, 1 was tortured, 7 died in jail and 2 died in detention. Similarly, 305 were victims of Child Rights Violation, 468 were victims of Women Rights Violation, 34 were a victims of beating, 4 were victims of abduction, 6 were injured, and 67 were victims of killing among the documented victims of abuses.

No. of Victims by Incident (In 2021)



1.1 Taplejung



Total Population	1,20,359
Women	59,835
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	34,066
No. of Migrant Workers	9,793
Population of Disability	3,730
Literacy above 5 yrs (%)	71.3
Dependent Population	55,254

There were 19 victims (15 female and four male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; eight were victims of Child Rights Violation, six were victims of Women Rights Violation, two were victims of beating and three were victims of killing.

KILLING

By Others

Khadka Bahadur Limbu, 50, teacher of Meringden Rural Municipality-2, Santhakra was killed on April 22, 2021. The victim's family lodged a complaint at the District Police Office on April 23 against Akash Limbu, 30, of Santhakra, Meringden Municipality-2, Kaziman Vanem Limbu, 36, of Kancha Kazi, 36, of Maiwakhola Rural Municipality-1, Dhungesanghu and Khemraj Vanem, 59, of Zhiguti Jantare. The postmortem of the body was conducted at the district hospital on April 23. Among the accused, Akash and Kaziman were arrested by the police on April 22. A case was registered against them in court on May 17. The court remanded them to judicial custody on May 18. Accused Khemraj Vanem was presented in trial on June 11 and released on bail of NPR 50,000. Aakash Limbu also known as Pratap, 30, was sentenced to life imprisonment by the court on October 14. A bench of Justice Prakash Raut also sentenced Limbu to five more years in prison in connection with the arms and ammunition case. The court has also ordered to pay NPR 250,000 as compensation to the victim's family. Kaziman Vanem Limbu, was sentenced to jail for two years and six months and charged with a fine of NPR 25,000.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but there were 149 inmates including three male above the

Type of Events		By Others		
		Female	Male	Total
Beating			2	2
Killing		2	1	3
Child Rights	Child Marriage	1		1
	Infanticide		1	1
	Rape	4		4
	Sexual Abuse	2		2
	Total	**7**	**1**	**8**
Women Rights	Domestic Violence	1		1
	Rape	4		4
	Attempt to Rape	1		1
	Total	**6**		**6**
Grand Total		**15**	**4**	**19**

age of 60 years. The jail lacked enough living space. One position of health worker was vacant. There were five inmates with mental illness and five inmates with chronic diseases. The inmates had access to newspapers, books, television, etc. inside the prison but there were limited toilets. The inmates were fully vaccinated against COVID-19.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 34 out of 61 criminal cases and 100 out of 198 civil cases. There were three criminal cases and nine civil cases that had not been decided for over a year. The court had appointed 13 employees on contract.

CHILD RIGHTS

Educational Status

The district has 272 elementary and 59 secondary schools in this district. There were positions for 2,103 teachers out of which 937 positions were vacant. This year, 11,000 girls and 8,000 boys enrolled in schools and among them, 933 girls and 342 boys were with disability. This year, 1,017 boys, and 2,800 girls from Dalit families were enrolled in the school. There is one disability-friendly school in the district. Four children from conflict-affected families, two children from martyrs' families and 11 children from families of migrant workers received scholarships.

INSEC documented four victims of rape, two of sexual abuse, one of infanticide, and one child marriage. An accused of rape was sentenced to jail and three were sent to judicial custody. An accused of sexual abuse was sentenced to jail and one was sent to judicial custody. An accused of child marriage sent to judicial custody.

A complaint was filed against Mahendra Kalikote, 26, of Phungling Municipality-2 at the District Police Office, Taplejung on April 5, 2021 alleging that he had sexually abused a 15-year-old girl on April 4. Police arrested the accused on April 5. The health checkup of the victim was conducted at the District Hospital on April 5. The accused was remanded to judicial custody on April 29. He was sentenced to jail for 12 years and was charged with compensation of NPR 75,000 on December 14.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 38 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which 31 were victims of beating after alcohol consumption, four were victims of deprivation of food and clothes, one victim of deprivation of citizenship and one victim of deprivation of marriage registration. The complaints related to citizenship and marriage registration were sent to concerned authorities for action and others were reconciled.

INSEC documented one victim of domestic violence, four of rape and one of Attempt to Rape. Five accused of rape were sent to judicial custody, one was released on bail of NPR 50,000 and one was not arrested till the end of 2021. One accused of Attempt to Rape was sent to judicial cus-

tody, and two were not arrested till the end of 2021.

Rape, Attempt to Rape and Sexual Abuse

A complaint was filed against Bikesh Saawa Limbu, 38, of Mikwakhola Rural Municipality-4 at the District Police Office on February 18, 2021, alleging that he had attempted to rape a 27-year-old woman on February 16. The accused was arrested from his house on February 23. The health checkup of the victim was conducted at the District Hospital on February 18. Police registered a case against the accused in the district court on March 19. He was remanded to judicial custody on March 21. The guilty was sentenced to jail for four years and six months on June 3. He was charged with a fine of NPR 100,000 and a compensation of NPR 50,000.

HEALTH SERVICES

The district has one government hospital, one community hospital, 50 health posts and two municipal health centres.

There were 9,060 people health insurance and among them 1,711 were senior citizens.

Although the foundation stone was laid for the construction of a five-bedded elementary hospital in Faktanglung Rural Municipality on November 30, the construction was yet to start as available 6 ropanis of land was insufficient to build the hospital. The local government received NPR 7.5 million for the construction of the hospital in the fiscal year 2020/21 by federal government. The government had provided NPR 70 million for the construction of a five-bedded hospital but if the cost exceeds that, the concerned local level will have to bear the cost. An estimate of NPR 120 million has been prepared for the construction.

Mikwakhola Rural Municipality has approved the contract for the construction of elementary hospital last year. Construction company Sewalung-Pahadi JB has started work from July of the current fiscal year. The contractor company has signed a contract worth NPR 62.2 million at an estimated cost of NPR 98.8 million. The work had been started by giving an advance to the contractor from the amount of NPR 7 million provided by the federal government last year. In the current fiscal year, NPR 14.7 million has come from the federal government. If the budget received from the association is insufficient to complete the construction in three years, it will be borne by the local level. Gajendra Thulang, sub-engineer of Mikwakhola Rural Municipality, said that the hospital would be built if the federal government receives NPR 20 million annually.

This year 7,654 people were diagnosed with COVID-19 and among them, 14 died. There were 22,602 people fully vaccinated against COVID-19 in the district.

Number of Incident with Status of Legal Proceeding in 2021				
CHILD RIGHTS				
Type of Events	**Closed Case**		**Legal Proceeding**	**Total**
Child Marriage			1	1
Infanticide			1	1
Rape	1		3	4
Sexual Abuse	1		1	2
Total	**2**		**6**	**8**
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence		1		1
Rape		1	3	4
Attempt to Rape	1			1
Total	**1**	**2**	**3**	**6**
Number of Incidents				
Type of Events	**Closed Case**		**Legal Proceeding**	**Total**
Killing	1		2	3

1.2 Sankhuwasabha

Total Population	1,59,046
Women	78,991
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	33,146
No. of Migrant Workers	14,863
Population of Disability	4,054
Literacy above 5 yrs (%)	82
Dependent Population	70,630

There were three male victims of Human Rights violations who were beaten and 54 victims (50 female and four male) of Human Rights abuses. Among the documented victims of human rights abuses; 18 were victims of Child Rights Violation, 26 were victims of Women Rights Violation, nine were victims of killing and one was the victim of beating.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but it had 161 inmates of which 11 were female. The jail had a dependent child. There were 30 senior citizens above the age of 60 years

One post of Assistant Health Worker was vacant for the last two years.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 24 criminal cases out of 143 and 84 civil cases out of 231. There were eight employees hired on contract and 10 were still vacant.

CHILD RIGHTS

Educational Status

The district has 318 elementary schools and 74 secondary schools. There were positions for 1,640 teachers among which 93 positions were vacant. This year, 23,177 girls and 22,589 boys were enrolled in the schools. Twelve children from conflict-affected families received scholarships.

INSEC documented 17 victims of rape and one of sexual abuse. Seven accused of rape were sentenced and the remaining were sent to judicial custody. One accused of sexual abuse was sentenced to jail.

Rape, Sexual Abuse

A complaint filed against Anish Magar, 19, of Khandbari Municipality-8 at the District Police Office on April

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Beating		3	3	1		1
Killing				5	4	9
Child Rights	Rape			17		17
	Sexual Abuse			1		1
	Total			**18**		**18**
Women Rights	Domestic Violence			18		18
	Rape			7		7
	Sexual Abuse			1		1
	Total			**26**		**26**
Grand Total		**3**	**3**	**50**	**4**	**54**

17, 2021, alleging that he had raped a 14-year-old girl on April 16. The health checkup of the victim was conducted at the District Hospital on April 18. The accused was arrested on April 18. Police registered a case in the court on May 21. The accused was remanded to judicial custody on May 21. He was proven guilty and was sentenced to jail for 10 years one December 1. He was charged NPR 50,000 as compensation and NPR 50,000 as fine. He was also asked to deposit NPR 1,800 to the victim relief fund.

A complaint was registered against Samir Bardewa, 19, of Khandbari Municipality-9 on May 7, 2021, alleging that he had raped a 13-year-old girl on April 28. Police arrested the accused from his house on May 7. The health checkup of the victim was conducted at the District Hospital on May 13. Police registered a case against the accused in court on June 4. The accused was remanded to judicial custody on June 13. The accused was proven guilty on December 6 and was sentenced to jail for 18 years. He was charged a fine of NPR 600,000 and compensation of NPR 50,000. He was also asked to deposit NPR 2,200 in the victim relief fund.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 22 women filed complaints of domestic violence at the Women, Children and Senior Citizens Service Centre. All the registered complaints were reconciled.

INSEC documented 18 victims of domestic violence, seven of rape and one of sexual abuse. Two accused of rape were sentenced to jail and six were sent to judicial custody. The accused of sexual abuse was sent to judicial custody.

A complaint filed against Leva Bhote, 25, of Khandbari Municipality-1 at the District Police Office on February 3, 2021, alleging that he raped a 27-year-old woman on February 1. The health checkup of the victim was conducted at the District Hospital on February 3. The accused was arrested from his house on February 8. Police registered a case against the accused, on February 9. The accused was remanded to judicial custody on February 9. The accused was proven guilty on May 5 and was sentenced to jail for eight years.

HEALTH SERVICES

The district has one government hospital, four health posts and 12 urban health centres, 12 community health centres, 28 community health units, and 29 elementary health centres. There were vacant positions for three specialist doctors and six staff nurses in the district hospital.

The construction of seven local level hospitals had not been completed even after one year of construction. The foundation of the local level hospital was laid at Panchkhapan Municipality, Dharmadevi Municipality, Chainpur Municipality, Madi Municipality, Chichila Municipality, Sabhapokhari Municipality and Bhotkhola Municipality.

This year, 1,481 people were diagnosed with COVID-19 and among them, 21 died. There were 32,140 people fully vaccinated against COVID-19 in the district.

Number of Incident with Status of Legal Proceeding in 2021				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Legal Proceeding**		**Total**
Rape	4	13		17
Sexual Abuse	1			1
Total	**5**	**13**		**18**
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence		18		18
Rape	2		5	7
Sexual Abuse			1	1
Total	**2**	**18**	**6**	**26**
Number of Incidents				
Type of Events		**Legal Proceeding**		**Total**
Killing		4		4

1.3 Solukhumbu

Total Population	1,04,768
Women	52,139
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	26,964
No. of Migrant Workers	5,617
Population of Disability	2,609
Literacy above 5 yrs (%)	67.54
Dependent Population	45,318

There were 51 victims (40 female and 11 male) of Human Rights abuses in the district. Among the documented victims of human rights abuses;12 were victims of Child Rights Violation, 24 were victims of Women Rights Violation, nine were victims of beating and three were victims of threatening, one was injured and two were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of 25 inmates but, there were 92 inmates including five females. There was a dependent child in the jail. The prison has two rooms, one was allocated for men and the other was allocated for women. The unavailability of hot water in the Himalayan district was a reason for several diseases in inmates. As the inmates did not have enough space in the prison, they had to sleep in the kitchen of the jail.

RIGHT TO PROMPT TO A FAIR TRIAL

District Court

The District Court with one judge had adjudicated 43 out of the 111 criminal cases and 31 out of the 66 civil cases. There were 12 criminal cases and 15 civil cases that had not been decided for over a year. Out of the transferred 27 only 10 were decided. There were six employees hired on contract and four were vacant till the end of 2021.

CHILD RIGHTS

Educational Status

The district has 280 elementary and 44 secondary schools. There were positions for 978 teachers, among which four were vacant. This year, 15,078 girls and 15,141 boys were enrolled in schools. However, no children with disabilities were enrolled.

INSEC documented five victims of rape, five of sexual abuse and two of child labour. The five accused of rape cases was

sent to judicial custody. Two accused of sexual abuse were sent to judicial custody, one was handed over to the parents, one was released on bail of NPR 40,000 and one was in custody for investigation till the end of 2021.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 27 women filed complaints of domestic violence at the Women, Children and Senior Citizens Service Centre, among them 19 were victims of domestic disputes, five were victims of beating after consuming alcohol and three were deprived of food and clothes. All the complaints were reconciled.

INSEC documented four victims of domestic violence, 15 of rape, four of Attempt to Rapes and one of trafficking. Ten accused of rape were sent to judicial custody; Two accused were released on bail of NPR 120,000 each and one was released on bail of NPR 150,000. Two accused remained in custody for investigation while one accused was not arrested till the end of 2021. Two accused of Attempt to Rapes were sent to judicial custody, one accused remained in custody for investigation and the other accused was not arrested till the end of 2021.

HEALTH SERVICES

The district has one district hospital, one community hospital, four primary health centres, 32 health posts, four community health units and one district eye centre. There are three doctors working in District Hospital Phaplu along with 219 health workers in other health institutions.

Type of Events		By Others		
		Female	Male	Total
Beating		2	7	9
Injured			1	1
Killing		1	1	2
Threats		2	1	3
Child Rights	Child Labor	1	1	2
	Rape	5		5
	Sexual Abuse	5		5
	Total	**11**	**1**	**12**
Women Rights	Domestic Violence	4		4
	Rape	15		15
	Attempt to Rape	4		4
	Women Trafficking	1		1
	Total	**24**		**24**
Grand Total		**40**	**11**	**51**

The district hospital provides free health check-ups for senior citizens. There were 7,496 people with health insurance schemes.

The construction work of five local level hospitals whose foundation was laid on November 30, 2020, had not been completed yet. The hospitals were being constructed at Sotang Rural Municipality, Mahakulung Rural Municipality, Mapyadudhkoshi Rural Municipality, Khumbu Pasang Lhamu Rural Municipality and Likhupike Rural Municipality.

There were 51,147 people fully vaccinated against COVID-19. Sixteen people died this year due to the infection of COVID-19.

Number of Incident with Status of Legal Proceeding in 2021				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Compromise**	**Legal Proceeding**	**Total**
Child Labor	1	1		2
Rape			5	5
Sexual Abuse			5	5
Total	**1**	**1**	**10**	**12**
WOMEN RIGHTS				
Type of Events	**Compromise**	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence	2		2	4
Rape		1	14	15
Attempt to Rape		2	2	4
Women Trafficking		1		1
Total	**2**	**4**	**18**	**24**
Number of Incidents				
Type of Events		**Legal Proceeding**	**Total**	
Killing		2	2	

1.4 Okhaldhunga

Total Population	1,40,914
Women	71,592
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	30,017
No. of Migrant Workers	10,552
Population of Disability	3,490
Literacy above 5 yrs (%)	64.42
Dependent Population	65,758

There were 45 victims (43 female and two male) of Human Rights abuses in the district. Among the documented victims of human rights abuses; seven were victims of Child Rights Violation, 36 were victims of Women Rights Violation, and two were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 40 inmates but there were 99 inmates, of which eight were female. There were five inmates above the age of 60 years. There were Senior Assistant Health Workers appointed for regular health check-ups of inmates. Six inmates, including one with critical mental illness and five with general mental illness and were undergoing treatment. There were nine inmates with hypertension in the jail. One inmate had suffered from COVID infection and had recovered.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

The District Court with one judge had adjudicated 96 criminal cases out of 155, and 91 civil cases among 242 that were registered in 2021. The court had 24 criminal cases and 26 civil cases that had not been decided for over two years. The court had hired six employees on contract and five posts were vacant till the end of 2021.

High Court Biratnagar – Okhaldhunga Bench

The High Court, had the position of four judges. This year, 191 criminal cases and 21 civil cases were registered. A total of 116 cases were decided, including those transferred from the previous year.

CHILD RIGHTS

Educational Status

The district has 259 elementary schools and 74 secondary schools. There were positions for 1,611 teachers in the district out of which 193 positions were

Type of Events		By Others		
		Female	Male	Total
Killing			2	2
Child Rights	Rape	3		3
	Sexual Abuse	4		4
	Total	**7**		**7**
Women Rights	Domestic Violence	26		26
	Polygamy	2		2
	Rape	6		6
	Attempt to Rape	1		1
	Sexual Abuse	1		1
	Total	**36**		**36**
Grand Total		**43**	**2**	**45**

vacant. There were 13,221 girls and 11,500 boys enrolled in the schools this year. Among them, 128 girls and 189 boys with disabilities and 2,441 boys and 2,468 girls were from Dalit families. There were 40 disability-friendly schools in the district. The children of the martyrs' families and conflict-affected families did not receive scholarships this year. Three children from the families of migrant workers received scholarships.

INSEC documented three victims of rape and four of sexual abuse. An accused of rape was sent to judicial custody and one was not arrested till the end of 2021. One accused of rape was sentenced to jail and two were released on bail.

Rape, Sexual Abuse

Police arrested Prem Bahadur Tamang, 40, of Molung Rural Municipality-7 on the charge of sexually abusing a 14-year-old girl on February 24, 2021. The health checkup of the victim was conducted at the District Hospital on February 24. Police registered a case against him in court on March 21. The accused was released on bail of NPR 50,000 on March 22. He was found guilty on November 29 and sentenced to jail for six months. He was also charged compensation of NPR 15,600 to the victim.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 21 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre and all of them were reconciled.

INSEC documented 26 victims of domestic violence, six of rape, one of the attempt to rape, one of sexual abuse, and two of polygamy. Four accused of rape were sent to judicial custody.

HEALTH SERVICES

The district has a government hospital, one community hospital, 54 health posts, one municipal health centre, two health urban development units, and 175 vaccination centres.

There were vacant positions for one specialist doctor and two staff nurses. There were 33,790 people with health insurance among which 8,063 were senior citizens.

Except for Siddhicharan Municipality, all other local levels had received budget from the federal government for the construction of hospitals. A five-bedded hospital has been constructed in Khijidemba Rural Municipality. The construction work of the hospital is underway in Chisangkhugadhi Rural Municipality.

This year 2,189 people were diagnosed with COVID-19 and among them, 16 died. There were 62,443 people fully vaccinated against COVID-19 in the district.

Number of Incident with Status of Legal Proceeding in 2021				
CHILD RIGHTS				
Type of Events	**Investigation**	**Legal Proceeding**		**Total**
Rape	1	2		3
Sexual Abuse	1	3		4
Total	**2**	**5**		**7**
WOMEN RIGHTS				
Type of Events	**Compromise**	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence	26			26
Polygamy			2	2
Rape		2	4	6
Attempt to Rape			1	1
Sexual Abuse			1	1
Total	**26**	**2**	**8**	**36**
Number of Incidents				
Type of Events		**Legal Proceeding**		**Total**
Killing		2		2

1.5 Khotang

Total Population	1,75,340
Women	88,819
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	51,315
No. of Migrant Workers	17,662
Population of Disability	1,158
Literacy above 5 yrs (%)	87.2
Dependent Population	92,214

There were 35 victims (31 female and four male) of Human Rights abuses in the district. Among the documented victims of human rights abuses; 21 were victims of Child Rights Violation, nine were victims of Women Rights Violation, four were victims of beating and one was victim of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 99 inmates but there were 135 inmates including three females. The jail had one dependent child. There were three male inmates above the age of 60. The jail lacked enough living space. The inmates had access to drinking water, toilets, means of communication and leisure activities and a library. The inmates make Caps of Dhaka and goods of bamboo for domestic use with local raw materials. An auxiliary nurse-midwife was posted in the jail for regular treatment of the inmates. Two inmates were infected by COVID-19 and recovered this year.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 26 criminal cases out of 99 and 50 civil cases among 140 that were registered in 2021. There were seven criminal cases and 19 civil cases carried over from 2020. Ten employees were hired on contract.

CHILD RIGHTS

Educational Status

The district has 329 elementary and 98 secondary schools in the district. There were positions for 1,483 teachers in the district out of which 92 positions were vacant. Total of 11,645 girls and 9,125 boys were enrolled in the schools this year including 783 girls and 129 boys with disabilities. There were two disability-friendly schools in the district. This year, 3,107 girls and 2,143 boys from Dalit families were enrolled in the schools. Eight chil-

dren from conflict-affected families and five from migrant workers' families had received scholarships this year.

INSEC documented seven of rape and 14 victims of sexual abuse. Eight accused of sexual abuse were released on bail, five accused were sent to judicial custody and one wasn't arrested till the end of 2021.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 15 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre, among them seven were the victims of domestic conflict, five of beatings after consumption of alcohol and three of deprivation from food and clothes. All the complaints were reconciled.

INSEC documented one victim of domestic violence, four of rape, three of sexual abuse and one of polygamy. One accused of rape was sentenced to jail and three were sent to judicial custody. One accused of sexual abuse was handed over to the parents.

HEALTH SERVICES

The district has a government hospital, one community hospital, 76 health posts, two primary health centres and two municipal health centres.

There were 18,711 people with health insurance among which 1,509 were senior citizens.

This year 5,151 people were diagnosed with COVID-19 and among them, four died. There were 23,891 people fully vaccinated against COVID-19 in the district.

Type of Events		By Others		
		Female	Male	Total
Beatings		1	3	4
Killing			1	1
Child Rights	Rape	7		7
	Sexual Abuse	14		14
	Total	**21**		**21**
Women Rights	Domestic Violence	1		1
	Polygamy	1		1
	Rape	4		4
	Sexual Abuse	3		3
	Total	**9**		**9**
Grand Total		**31**	**4**	**35**

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Rape	7	7
Sexual Abuse	14	14
Total	**21**	**21**

WOMEN RIGHTS

Type of Events	Closed Case	Legal Proceeding	Totals
Domestic Violence		1	1
Polygamy		1	1
Rape	**1**	**3**	**4**
Sexual Abuse		**3**	**3**
Total	**1**	**8**	**9**

Number of Incident

Type of Events	Legal Proceeding	Totals
Killing	1	1

1.6 Bhojpur

Total Population	1,58,991
Women	80,540
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	44,268
No. of Migrant Workers	12,198
Population of Disability	4,618
Literacy above 5 yrs (%)	69.9
Dependent Population	77,169

There was one male victim of Human Rights violation who was beaten and 79 victims (72 female and seven male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; eight were victims of Child Rights Violation, 61 were victims of Women Rights Violation, six were victims of beating, two were injured and two were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 40 inmates but there were 118 inmates, including nine females. There were three male inmates above the age of 60 years. One position of health worker was vacant.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 104 out of 241 criminal cases and 134 out of 236 civil cases this year. However, 51 criminal cases and four civil cases that had not been decided for over a year.

CHILD RIGHTS

Educational Status

The district has 315 elementary and 69 secondary schools. There were positions for 1,834 teachers out of which 15 were vacant. This year, 22,279 boys and 22,688 girls were enrolled in schools. Of them, 140 girls and 163 boys were with disabilities. The district has 56 disability-friendly schools. This year, 2,470 boys and 2,328 girls from Dalit families were enrolled in schools. Thirty children from migrant workers' families received scholarships.

INSEC documented seven victims of rape and one of sexual abuse. Seven accused of rape were sent to judicial custody. One accused was in custody for investigation. An accused of sexual abuse was released on bail of NPR 100,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 20 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which 18 were victims of domestic dispute and two were victims of polygamy. Two complaints of polygamy were sent to other authorities, 13 of domestic dispute were reconciled and five were under legal review.

INSEC documented 54 victims of domestic violence, four of rape, one of attempt to rape and two of polygamy. Four accused of rape and one accused of attempt to rape were sent to judicial custody. The accused of polygamy was sent to judicial custody.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Beatings		1	1	1	5	6
Injured					2	2
Killing				2		2
Child Rights	Rape			7		7
	Sexual Abuse			1		1
	Total			**8**		**8**
Women Rights	Domestic Violence			54		54
	Polygamy			2		2
	Rape			4		4
	Attempt to Rape			1		1
	Total			**61**		**61**
Grand Total		**1**	**1**	**72**	**7**	**79**

HEALTH SERVICES

The district has one government hospital, 66 health posts, three primary health centres, and one urban health centre. There were vacant positions for one specialist doctor, three staff nurses, and one auxiliary nurse-midwife.

There were 31,168 people with health insurance among which 3,230 were senior citizens.

There were eight COVID hospitals in operation in the district. Construction of five- to 15-bedded hospital had started in Pauwadung Rural Municipality, Arun Rural Municipality, Salpasilicho Rural Municipality, Temkemayung Rural Municipality, Ram Prasad Rai Rural Municipality, Amchok Rural Municipality and Hatuwagadhi Rural Municipality. The construction of five out of seven local level hospitals had started after the completion of the tender process. This year 1,934 people were diagnosed with COVID-19 and among them, 10 died. There were 48,747 people fully vaccinated against COVID-19 in the district.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Rape	1	6	7
Sexual Abuse		1	1
Total	**1**	**7**	**8**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Legal Proceeding	Total
Domestic Violence	1	27	26	54
Polygamy			2	2
Rape			4	4
Attempt to Rape			1	1
Total	**1**	**27**	**33**	**61**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	2	2

1.7 Dhankuta

Total Population	1,49,954
Women	76,750
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	25,677
No. of Migrant Workers	14,415
Population of Disability	4,881
Literacy above 5 yrs (%)	95
Dependent Population	65,909

There was one male victim of Human Rights violation who was beaten and 52 female victims of abuse. Among the documented victims of human rights abuses; six were victims of Child Rights Violation, 44 were victims of Women Rights Violation and two were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 40 inmates but there were 53 inmates, including four females. There were seven male inmates above the age of 60 years. The position of Assistant Health Worker was vacant for the last four years and cases requiring specific attention were referred to the District Hospital for treatment.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

The District Court with one judge had adjudicated 122 civil cases out of 236 and 17 criminal cases among 89. There were 11 criminal cases and eight civil cases that had not been decided for over a year. The court has hired five employees on contract and two were still vacant till the end of this year.

High Court Biratnagar- Dhankuta

The Dhankuta bench of the Biratnagar High Court had position of four judges but there was only one judge. Out of the 207 criminal cases of 231, and 46 out of 57 civil cases were decided in 2021.

CHILD RIGHTS

Educational Status

The district has 189 elementary and 95 secondary schools in the district. There were positions for 1190 teachers out of which 41 positions were vacant. This year, 2,147 girls and 2,263 boys, were enrolled in the schools among them, 109 children were with disabilities. There are three disability-friendly schools. This

year, 1,297 Dalit students received scholarships.

INSEC documented four victims of rape and two of sexual abuse. All the accused were sentenced to jail.

Rape, Sexual Abuses

Police arrested Bhawani Yakkha, 23, of Chaubise Rural Municipality-2 on February 17, 2021, on the charge of raping an 11-year-old girl. The health checkup of the victim was conducted at Dhankuta Hospital on February 17. Police registered a case against the accused in the district court on February 21. The accused was remanded to judicial custody on February 21 and the court sentenced him to jail for 10 years. He was also fined NPR 100,000 compensation to the victim on April 12.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 19 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre and all were reconciled.

INSEC documented 32 were victims of domestic violence and 12 of rape. Five accused of rape were sentenced to jail and eight were sent to judicial custody.

Rape, Sexual Abuse

Police arrested Lok Bahadur Karki, 70, of Mahalakshmi Municipality-8 on June 9, 2021, alleging that he had raped a 63-year-old woman on June 8. The health check-up of the victim was conducted on June 8. Police registered a case against the accused on June 10. The guilty was sentenced to jail for 18 years and was charged a fine of NPR 50,000 on June 19.

Type of Events		By State		By Others	
		Male	Total	Female	Total
Beating		1	1		
Killing				2	2
Child Rights	Rape			4	4
	Sexual Abuse			2	2
	Total			**6**	**6**
Women Rights	Domestic Violence			32	32
	Rape			12	12
	Total			**44**	**44**
Grand Total		**1**	**1**	**52**	**52**

HEALTH SERVICES

The district has a government hospital, two community hospitals, 37 health posts, two primary health centres, and 15 municipal health centres. Forty-five out of 70 types of medicines to be distributed free of cost were available in the district hospital.

There were 3,156 families with health insurance.

All the seven local levels of Dhankuta had brought COVID Hospital into operation. Though the foundation was laid for the construction of a five-bed hospital in Chhathar Jorpati, a 10-bed hospital in Sahidbhoomi, a 15-bedded hospital in Pakhriwas, and a 15-bed hospital in Mahalakshmi, the work has not progressed however, the Chairman of Rural Municipality stated that land management for the hospital was under progress.

There were 72,909 people fully vaccinated against COVID-19 in the district.

Number of Incident with Status of Legal Proceeding in 2021				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Legal Proceeding**		**Total**
Rape	4			4
Sexual Abuse	1	1		2
Total	**5**	**1**		**6**
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence		29	3	32
Rape	4		8	12
Total	**4**	**29**	**11**	**44**
Number of Incidents				
Type of Events	**Closed Case**			**Total**
Killing	2			2

1.8 Tehrathum

Total Population	89,125
Women	45,334
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	14,677
No. of Migrant Workers	7,991
Population of Disability	2,626
Literacy above 5 yrs (%)	68.3
Dependent Population	41,079

There were 15 victims (14 female and one male) of Human Rights abuses in the district. Among the documented victims of human rights abuses; two were victims of Child Rights Violation, eight were victims of Women Rights Violation, and five were victims of killing.

JAIL AND DETENTION

The district jail had a capacity of holding 35 inmates but there were 75 inmates, including four females. The inmates had access to drinking water, toilets, newspapers, radio, television, sports equipment, volleyball, board games and a library. One Senior Health Worker was appointed for the regular health checkup of the victim. There were six male inmates above the age of 60 years.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 54 of the 55 criminal cases, 29 out of 72 civil cases that were registered in 2021. There were four criminal cases and nine civil cases that had not been decided for over a year.

CHILD RIGHTS

Educational Status

The district has 175 primary and 46 secondary schools. There were positions for 1,296 teachers out of which 39 were vacant. This year, 9,194 boys and 9,503 girls were enrolled in schools including 65 girls and 71 boys with disabilities. There were 15 disability-friendly schools in the district. There were 1,046 girls and 1,072 boys from the Dalit families. Six children from migrant workers' families received scholarships.

INSEC documented two victims of rape. Accused of both the cases were sent to judicial custody.

Type of Events		By Others		
		Female	Male	Total
Killing		4	1	5
Child Rights	Rape	2		2
	Total	**2**		**2**
Women Rights	Polygamy	1		1
	Rape	6		6
	Sexual Abuse	1		1
	Total	**8**		**8**
Grand Total		**14**	**1**	**15**

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 15 women filed complaints of domestic violence at the Women, Children and Senior Citizens Service Centre and all were reconciled.

INSEC documented six victims of rape, one from sexual abuse and one from polygamy. Four accused of rape were sent to judicial custody, two were not arrested till the end of 2021.

Killed by Family Members

A complaint was filed against Nara Bahadur Limbu, 43, of Musangkhel in Laligurans Municipality-3 at the District Police Office on February 7, 2021, alleging that he had killed his wife Maitarani Limbu, 47, with an axe during a domestic dispute on February 7. The post-mortem of the victim was conducted on February 7. The accused was arrested by the police from his house on the same day. Police registered a case against the accused in court on March 3. The accused was sent to judicial custody on March 3. He was found guilty on September 14 and was sentenced to jail for 25 years.

HEALTH SERVICES

The district had one government hospital, seven community hospitals, 29 health posts, seven primary health centres and two municipal health centres. There was the vacant position for one staff nurse.

There were 1,405 people with health insurance. Also, there were 1,401 senior citizens who had been enrolled with a free insurance.

The tender process for the construction work of local level hospitals had started. The foundation of 15-bedded hospitals were laid in Laligurans Municipality on November 30, 2020. The construction work of a 10-bedded hospital had started in Menchayeyam Rural Municipality.

This year 2,048 people were diagnosed with COVID-19 in the district. Covid Hospital had two beds with oxygen and eight beds without oxygen.

Number of Incident with Status of Legal Proceeding in 2021			
CHILD RIGHTS			
Type of Events	**Legal Proceeding**		**Total**
Rape	2		2
Total	**2**		**2**
WOMEN RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Polygamy		1	1
Rape	1	5	6
Sexual Abuse		1	1
Total	**1**	**7**	**8**
Number of Incidents			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Killing	2	3	5

1.9 Panchthar

Total Population	1,74,419
Women	87,386
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	21,724
No. of Migrant Workers	17,842
Population of Disability	5,049
Literacy above 5 yrs (%)	72
Dependent Population	79,317

There was one male victim of Human Rights violation who was arrested and 28 victims (27 female and one male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 14 were victims of Child Rights Violation, 12 were victims of Women Rights Violation and two were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but there were 142 inmated, including, 14 females. There were 17 dependent children in the jail. The inmates had access to drinking water, toilet, newspaper, radio, television, leisure activities, volleyball, chess, ludo, carrom-board and a library. One health worker was posted in the jail for regular checkup of the inmates. There were five inmates (two female and three male) above the age of 60 years. In need of further treatment, inmates were transferred to the central jail and treated in the hospitals of Kathmandu.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 13 criminal cases out of 110 and 114 civil cases among 266 of the cases registered in 2021. The court had 62 criminal cases and 37 civil cases that had not been decided for over a year. The court had hired 13 employees on contract and 10 positions were vacant till the end of 2021.

CHILD RIGHTS

Educational Status

The district has 384 elementary and 84 secondary schools in the district. There were positions for 1,929 teachers in the district. There were 23,309 girls and 24,142 boys in the schools this year out of which 123 girls and 120 boys were with disabilities. One hundred and fifty-seven children from conflict-affected families

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		1	1			
Killing				1	1	2
Child Rights	Rape			10		10
	Sexual Abuse			4		4
	Total			**14**		**14**
Women Rights	Polygamy			6		6
	Rape			4		4
	Attempt to Rape			1		1
	Sexual Abuse			1		1
	Total			**12**		**12**
Grand Total		**1**	**1**	**27**	**1**	**28**

and six children of migrant workers received the scholarship. This year, a total of 1,421 boys and 1,411 girls from Dalit families were enrolled in the schools.

INSEC documented 10 victims of rape and four of sexual abuse. Eight accused of rape were sent to judicial custody and two accused were sentenced to jail. Two accused of sexual abuse were sent to judicial custody and one accused was released on the bail of NPR 100,000.

Rape, Sexual Abuse

A complaint was filed against Sabin Bhandari, 20 of Hilihang Rural Municipality-1 at the District Police Office on February 12, 2021, alleging that he had raped a 16-year-old girl on January 28. The health checkup of the victim was conducted at District hospital on February 12. The accused was arrested by the police on March 21 from his residence. Police registered the case of rape against the accused in the District Court on April 10. The accused was sent to judicial custody on April 12. The accused was found guilty on December 23 and was sentenced to jail for 10 years. The victim was provided with a compensation of NPR 50,000 and NPR 1800 was deposited in the victim relief fund.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 105 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre. Among which 78 were victims of household conflicts, 21 of beating after consumption of alcohol and six of deprivation of food and clothes. Eight victims didn't come in contact till the end of 2021 and 97 of the cases were reconciled.

INSEC documented four victims of rape, one of attempt to rape, one of sexual abuse and six of polygamy. Three victims of rape were sent to judicial custody and one was in custody for investigation. One accused each of attempt to rape and sexual abuse were sent to judicial custody.

HEALTH SERVICES

The district has a government hospital, 11 community hospitals, 40 Health Posts, two primary health centers and four Municipal health posts. The Positions of two staff nurses were vacant positions in the hospital.

2,138 people were enrolled in the health insurance scheme. Under the free health insurance program for senior citizens, 486 were enrolled.

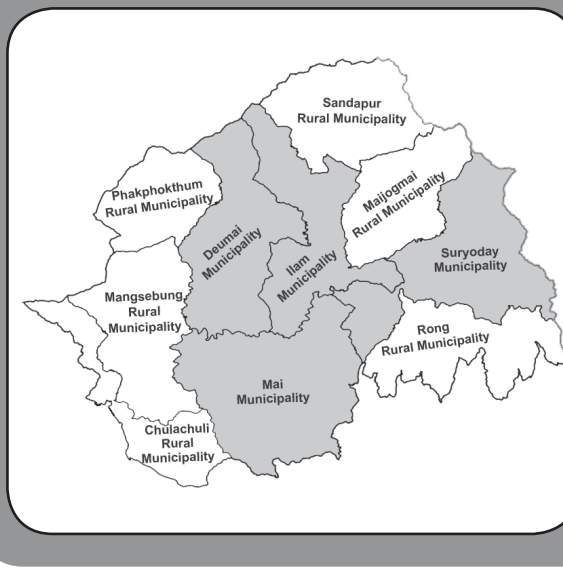
The foundation of seven local levels hospitals was laid on November 30, 2020. The construction work of the 15-bedded hospital in Mikaljung Rural Municipality, Kumayak Rural Municipality Yangwarak Rural Municipality, a five-bedded hospital in Tumbewa Rural Municipality, Falgunanda Rural Municipality, Falelung Rural Municipality, and Hililang Rural Municipality had started.

This year 1,488 people were diagnosed with COVID-19 and among them, 20 died. There were 64,341 people fully vaccinated against COVID-19 in the district.

Number of Incident with Status of Legal Proceeding in 2021			
CHILD RIGHTS			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Rape	1	9	10
Sexual Abuse		3	3
Total	**1**	**12**	**13**
WOMEN RIGHTS			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Polygamy	1	5	6
Rape		4	4
Attempt to Rape		1	1
Sexual Abuse		1	1
Total	**1**	**11**	**12**

Number of Incidents		
Type of Events	**Legal Proceeding**	**Total**
Killing	2	2

1.10 Ilam



Total Population	2,80,565
Women	1,40,991
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	21,005
No. of Migrant Workers	6,657
Population of Disability	7,636
Literacy above 5 yrs (%)	97
Dependent Population	1,07,324

There was one male victim of Human Rights violation who was arrested and 51 victims (47 female and four male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 15 were victims of Child Rights Violation, 26 were victims of Women Rights Violations, one was a victim of the beating, two were injured and seven were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 120 inmates but there were 281 inmates, including 25 females. The jail had 12 male inmates above the age of 60 years. The position of health personnel for regular check-ups of inmates was vacant and inmates had to be taken to district hospital for medical check-ups.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

The District Court with one judge had adjudicated 136 of 291 criminal cases and 200 of 317 civil cases. There were 29 criminal cases and 28 civil cases that had not been decided over a year. The court has appointed 14 employees on contract and three positions remain vacant till the end of this year.

High Court Biratnagar – Ilam Bench

The High Court with four judges had received 248 civil cases, 715 criminal cases, and 23 writs in 2021. There were 457 criminal cases transfered this year.

CHILD RIGHTS

Educational Status

The district has 297 elementary schools and 92 secondary schools in the district. There were positions for 1,385 teachers out of which 281 were vacant. There were 27,693 girls and 27,960 boys enrolled in the schools this year, including 136 girls and 136 boys with disability. This year 1,831 girls and 1,793 boys

from Dalit families were enrolled in the schools. Thirteen children from conflict-affected families received scholarships.

INSEC documented 13 victims of rape and two victims of sexual abuse. Eight accused of rape were sent to judicial custody and four minor accused were sent to child rehabilitation centre and one was not arrested till the end of 2021. A minor accused of sexual abuse was sentenced to jail and then handed over to the parents. The other accused of the case of sexual abuse was sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 23 women filed complaints of domestic violence at the Women, Children and Senior Citizens Service Centre among which 16 were victims of a domestic dispute after consumption of alcohol, five were victims of physical torture and two were victims of deprivation of food and clothes. Among the registered complaints, 19 cases were reconciled, three was sent to the other authorities and one victim was out of contact.

INSEC documented five victims of domestic violence, nine of rape, two of attempts to rape, two of sexual abuse and eight of polygamy. The eight accused of rape were sent to judicial custody, one minor accused was sent to the child rehabilitation centre. The two accused of sexual abuse and two accused of attempt to rape were sent to judicial custody

HEALTH SERVICES

The district has a government hospital, five municipal health centres, four primary health centres, 44 health posts. All six positions of staff nurse were fulfilled. The government hospital had three

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		1	1			
Beating					1	1
Injured				1	1	2
Killing				5	2	7
Child Rights	Rape			13		13
	Sexual Abuse			2		2
	Total			**15**		**15**
Women Rights	Domestic Violence			5		5
	Polygamy			8		8
	Rape			9		9
	Attempt to Rape			2		2
	Sexual Abuse			2		2
	Total			**26**		**26**
Grand Total		**1**	**1**	**47**	**4**	**51**

posts of nine positions of specialist doctors along with four of five positions of ANMs were vacant.

There were 116,072 people with health insurance. In total, 12,656 senior citizens were enrolled in free health insurance program.

The foundation of 15-bedded hospitals at seven local levels were laid on November 30, 2020. The construction work had started in Suryadaya Municipality, Deumai Municipality and Mai Municipality and Chulachuli Rural Municipality, Fakphokthum Rural Municipality, Sandakpur Rural Municipality and Maijogmai Rural Municipality.

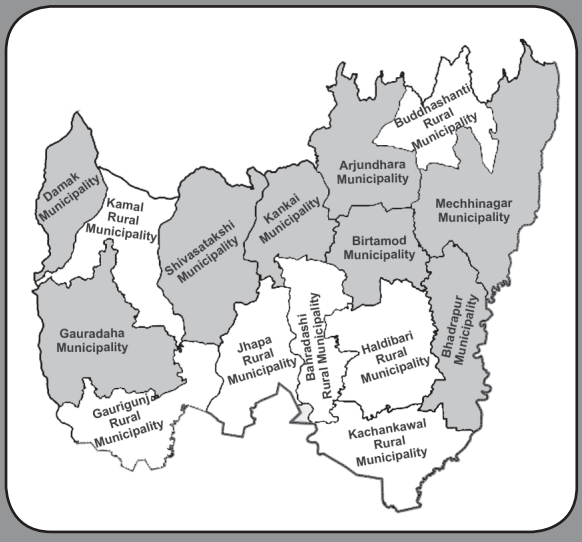
This year 1,720 people were diagnosed with COVID-19 and among them, 115 died. There were 18,167 people fully vaccinated against COVID-19.

Number of Incident with Status of Legal Proceeding in 2021				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Rape		1	12	13
Sexual Abuse	1		1	2
Total	**1**	**1**	**13**	**15**

WOMEN RIGHTS			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Domestic Violence	1	3	4
Polygamy		8	8
Rape		9	9
Attempt to Rape		2	2
Sexual Abuse		2	2
Total	**1**	**24**	**25**

Number of Incidents		
Type of Events	**Legal Proceeding**	**Total**
Killing	6	6

1.11 Jhapa



Total Population	9,94,090
Women	5,16,594
No. of Constituency (HoR)	5
No. of Constituency (PA)	10
Below Poverty Level	85,736
No. of Migrant Workers	80,625
Population of Disability	15,367
Literacy above 5 yrs (%)	77.7
Dependent Population	3,52,006

There were 193 victims (178 female and 15 male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 86 were victims of Child Rights Violation, 90 were victims of Women Rights Violations, one was a victim of threatening, two were victims of beating and 14 were victims of killing.

JAIL AND DETENTION

The district jail had the capacity of holding 700 inmates but there were 1,285 inmates, including 72 females. There were three dependent children in the jail. The inmates had access to drinking water, toilets, newspapers, radio, television, sports equipment. A Senior Assitant Health Worker was appointed for the regular health check-ups of the inmates. There were 200 inmates with chronic mental illness and 35 male inmates above 70 years of age.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with seven judges had adjudicated 753 out of 1,507 criminal cases and 1816 Out of 3358 civil cases. There were 38 criminal cases and 261 civil cases that had not been decided for over a year.

CHILD RIGHTS

Educational Status

The district has 253 elementary schools and 112 secondary schools. There were positions for 3,673 teachers out of which 89 were vacant. This year, 10,951 girls and 10,309 boys were enrolled in the schools. This year 2,341 girls and 2,142 boys from Dalit families were enrolled in schools and all enrolled Dalit students received scholarships. Eighty-eight children from migrant workers' families and 14 children from conflict-affected families received scholarships.

Type of Events		By Others		
		Female	Male	Total
Beating		1	1	2
Killing		7	7	14
Threats			1	1
Child Rights	Child Trafficking	1		1
	Corporal Punishment		1	1
	Rape	56		56
	Sexual Abuse	23	5	28
	Total	**80**	**6**	**86**
Women Rights	Domestic Violence	2		2
	Witchcraft Allegation	1		1
	Polygamy	36		36
	Rape	33		33
	Attempt to Rape	13		13
	Sexual Abuse	4		4
	Women Trafficking	1		1
	Total	**90**		**90**
Grand Total		**178**	**15**	**193**

INSEC documented 56 victims of rape, 28 of sexual abuse, one of corporal punishment and one of trafficking. Thirty-nine accused of rape were sent to judicial custody, two were handed to their parents and 12 were not arrested till the end of 2021. Nine accused of sexual abuse were released on bail, nineteen were sent to judicial custody and three were not arrested till the end of 2021.

Rape, Sexual Abuses

A complaint was filed against Devi Bahadur Kunwar, of Mechinagar Municipality-11 at Area police office Kakarvitta on November 1, 2021, alleging that he had raped an 11-year-old girl on October 29. The health checkup of the victim was conducted at Mechi Hospital, Bhadrapur on November 1. The accused was arrested from his house on November 2. Police registered a case against the accused in the district court on November 21. The accused was remanded to judicial custody on November 22. The accused was proven guilty on December 27 and the accused was sentenced to jail for one year and was charged fine of NPR 10,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 111 women filed complaints of domestic violence at the Women, Children and Senior Citizens Service Centre out of which 51 were victims of domestic dispute, 35 were victims of beating after consumption of alcohol, 18 were deprived of food and clothes and seven were victims of polygamy. Seven complaints of polygamy were sent to the court and remaining were reconciled.

INSEC documented two victims of domestic violence, 33 of rape, 13 of attempts to rape, four of sexual abuse, one of witchcraft allegation, one of trafficking and 36 of polygamy. Twenty-three accused of rape were sent to judicial custody, two were released on bail and eight were not arrested till the end of 2021. Eight accused of attempt to rape were sent to judicial custody, two were released on bail and eight were not arrested till the end of 2021. Four accused of sexual abuse were not arrested till the end of 2021.

Rape, Attempt to Rape amd Sexual Abuse

A complaint was filed against Prakash B.K, 34, of Bahradashi Rural Municipality-6 at the Area Police Office, Gauriganj on August 20 alleging that he had attempted to rape a 24-year-old woman with disability on August 19. The accused was from his house on August 21. The health checkup of the victim was conducted at Mechi Hospital, Bhadrapur on August 20. Police registered a case against the accused in court on September 9. The accused was remanded in judicial custody on September 10. The accused was proven guilty on November 15 and was sentenced to jail for four years and six months. He was also charged a fine of NPR 10,000.

HEALTH SERVICES

The district has two government hospitals, one community hospital, 42 health posts, six primary health centres and 131 municipal health centres. There were vacant positions for 11 specialist doctors.

There were 395,437 people with health insurance and 32,555 senior citizens enrolled in the free health insurance program.

The foundation of 11 local level hospitals was laid on November 30, 2020. The tender bidding had started in Kamal Rural Municipality, Haldibari Rural Municipality, Kachankawal Rural Municipality, Mechinagar Municipality, Kankai Municipality, Shivasatakshi Municipality and Buddhashanti Municipality. The construction work had started in Buddhashanti Rural Municipality-3.

This year 26,934 people were diagnosed with COVID-19 and among them, 555 died. There were 56,894 people fully vaccinated against COVID-19.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	No Legal Proceeding	Total
Corporal Punishment			1	1
Rape	2	54		56
Sexual Abuse	1	27		28
Total	**3**	**81**	**1**	**85**

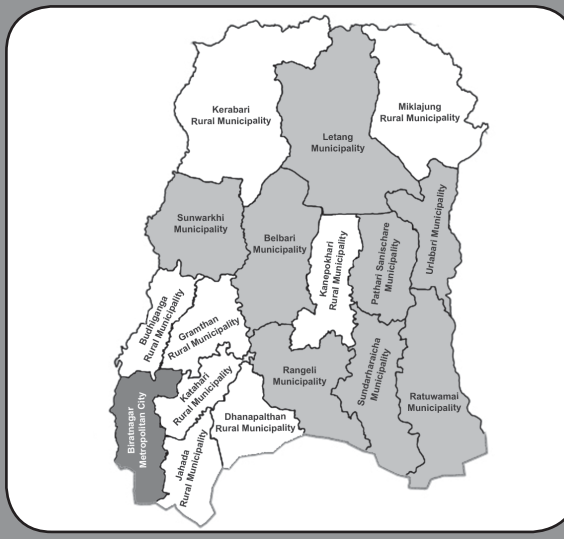
WOMEN RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Domestic Violence		2	2
Witchcraft Allegation		1	1
Polygamy	4	32	36
Rape	4	29	33
Attempt to Rape		13	13
Sexual Abuse		4	4
Women Trafficking		1	1
Total	**8**	**82**	**90**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	14	14

1.12 Morang



Total Population	11,47,186
Women	5,89,659
No. of Constituency (HoR)	6
No. of Constituency (PA)	12
Below Poverty Level	1,58,261
No. of Migrant Workers	17,053
Population of Disability	6,215
Literacy above 5 yrs (%)	86
Dependent Population	3,98,519

There were 12 male victims of Human Rights violations and 57 victims (44 female and 13 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; one was arrested, one was the victim of beating, one died in detention, three died in jail and six were injured. Similarly, 16 were victims of Child Rights Violation, 19 were victims of Women Rights Violation, one was a victim of caste-based discrimination, eight were victims of beating, one was a victim of abduction, and 12 were victims of killing.

THREATENING/ BEATING
By Others

Kumar Pokhrel, 49, Principal of Radhika Secondary School in Urlabari Municipality-6 was injured by the beating of his students Nischal Gurung, 20, Mohit Rai, 20 and Rabin Rai, 19, inside the school premises after Pokhrel has found them smoking inside the school. The victim was injured by hitting with a bottle, iron rod, and stone on January 11, 2021. A complaint was filed against the accused group of students at the Area Police Office, Urlabari on the same day. Among the accused, Nischal Gurung was arrested by the police from his house on the same day. Police registered a case against the accused in court, on February 4. The accused were remanded to judicial custody on February 7. The other two accused were absconding and so far, no legal action had been taken against them. The victim was treated at Nobel Hospital, Biratnagar on Monday, January 11, 2021. The case was in the legal process.

Police have arrested Bablu Sah, 21, of Jahada Rural Municipality-7 alleging that he had assaulted Assistant Sub-Inspector (ASI) Ram Kumar Majhi,

31, of Majhare Police Station in Jahada Rural Municipality -5. Majhi was attacked when he was delegated to the incident spot on the basis of information regarding diesel being smuggled to India. Sah came on his motorbike (Ko 14 Pa 763) and attacked ASI Majhi. Majhi sustained injuries in both eyes and his nose was broken too. He was attacked while he was on duty to stop diesel smuggling in Jahada Rural Municipality-5 Laxminiya. The victim has been treated at Birat Nursing Home on February 7. The case was not adjudicated till the end of 2021.

JAIL AND DETENTION

The district jail had the capacity of holding 300 inmates but there were 960 inmates, including 79 females. The jail had three dependent children. The position of three health workers appointed for the regular checkup of the inmates was vacant, therefore the inmates were taken to Koshi Hospital for treatment. There were 29 male inmates above the age of 60 years. There were 260 inmates with chronic illness in the jail.

Child Rehabilitation Centre

The Child Rehabilitation Centre had the capacity of holding 50 juveniles but there were 202 juveniles living in it. There were problems in food, accommodation, education, and toilets due to lack of physical infrastructure along with problem in psychological counselling due to lack of psychologists.

Death in jail

Dhan Bahadur Gurung, 52, died on the way while he was being rushed to Koshi Hospital for treatment. He was waiting in a queue for taking vaccination against COVID-19 in the jail on August 17. Gurung was serving a term of 10 years for being guilty of rape. The postmortem of the body was conducted at Koshi Hospital on August 17 and the victim was cremated at the local ghat on the same day.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Abduction					1	1
Arrest		1	1			
Beating		1	1	2	6	8
Death in Detention		1	1			
Death in Jail		3	3			
Injured		6	6			
Killing				6	6	12
Caste Based Discrimination				1		1
Child Rights	Child Trafficking			1		1
	Infanticide			1		1
	Rape			11		11
	Sexual Abuse			3		3
	Total			**16**		**16**
Women Rights	Attempt to Trafficking			2		2
	Witchcraft Allegation			1		1
	Rape			7		7
	Attempt to Rape			1		1
	Sexual Abuse			7		7
	Women Trafficking			1		1
	Total			**19**		**19**
Grand Total		**12**	**12**	**44**	**13**	**57**

Narayan Thapa, 43, a prisoner serving term at the district jail died on November 10, while he was taken to Koshi Hospital for treatment after identifying him feeling uneasy and suffocated.

Clash in Jail

A scuffle broke out between the inmates of the district jail on November 9, 2021, alleging that Kiran Gurung the watchman of the jail had tortured the inmates except those in his own group. Five inmates and Gurung were injured. The injured inmates were identified as Shekhar Rai, Nirmal Dhakal, Bishal Moktan, Dilli Dewan and Suryadeep Gupta. They

sustained minor injuries and were treated at Koshi Hospital. After the clash, 14 inmates were transferred to other jails.

Death in Custody

Bhim Kamat, 37, of Biratnagar Metropolitan City-11 was arrested by the District Police Office on September 3, 2021, alleging that he had traded drugs. Kamat died in police custody on September 5 while he was being rushed to Koshi Hospital for treatment as he was unwell when he was arrested. A sit-in protest was staged by the inmates at the Koshi Hospital morgue and District Administration Office on September 5 and 6, alleging that Kamat had died as a result of torture in custody. A five-member investigation committee was formed under the coordination of Assistant Chief District Officer Sharad Kumar Pokhrel on September 6 after the protest of the victims. The investigation committee had DSP Laxmi Bhandari of Provincial Police Office Biratnagar, Ward Chairperson of Biratnagar Metropolitan City-11 Tirthendra Neupane, Ward Chairperson of Biratnagar Metropolitan City-12 Hiralal Kamat and neighbor of the deceased Birendra Kumar Karki. The investigation committee recommended the Ministry of Home Affairs to provide relief to the victim's family on Friday, September 10 as stated by Tirthendra Neupane, Ward Chairperson of Biratnagar Metropolitan City-11. The post-mortem report of the body showed external injuries. Ward Chairperson Tirthendra Neupane said that the final investigation report was submitted to Morang Chief District Officer Kashiraj Dahal on the same day. According to the final report of the investigation committee, Kamat was handcuffed even when he was ill. The investigation committee found ASI Dhak Bahadur Karki, police constable Manoj Shah and a police constable were guilty for the incident. After the report of the investigation committee, Morang Chief District Officer Kashiraj Dahal said that departmental action was taken against the convicted policemen. The post-mortem of the body was conducted at Koshi Hospital on September 7 after that the victim was found bruised on the back.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

The District Court with 10 judges had adjudicated 764 criminal cases out of 2,225 and 1,159 civil cases out of 3,381. There were 378 criminal cases and 540 civil cases that were not decided for more than a year. The court had hired 64 employees on contract and nine positions were vacant till the end of this year.

High court

The High Court had positions for 12 judges. The court adjudicated 517 cases out of the transferred 1,446 criminal and 650 civil cases, and 422 cases registered in 2021.

CHILD RIGHTS

Educational Status

The district has 769 elementary and 405 secondary schools. There were positions for 3,456 teachers. This year, 14,242 girls and 10,128 boys were enrolled in the school. Among them, 411 girls and 356 boys were with disabilities. There were 2,817 girls and 2,108 boys from Dalit families enrolled in the schools. Twelve children from conflict-affected families and 89 children from migrant workers families received scholarships.

INSEC documented 11 victims of rape, three of sexual abuse, one of trafficking and one of infanticide. Eight accused of rape were sent to judicial custody and two were not arrested till of 2021. Three accused of sexual abuse were sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 12 women filed complaints of domestic violence at the Women, Children, and Senior Citizens' Service

Centre out of which eight were victims of beating, two were deprived of food and clothes, and two were victims of home eviction. Out of the eight victims of beatings, five were sent to other authorities for reconciliation and the remaining were reconciled.

INSEC documented seven victims of rape, one of an attempt to rape, seven of sexual abuse, one of witchcraft allegation, one of trafficking and two of attempted trafficking. Seven accused of rape were sent to judicial custody. One accused of attempt to rape and seven of sexual abuse were sent to judicial custody.

Killed by Family Members

A complaint was filed against Bechan Yadav, 45, Binod Yadav, 19, Bijuli Yadav, 50, and Ramu Yadav, 65, at the District Police Office on May 19, 2021 alleging that they had killed Anita Yadav, 24 of Tiluwa Chowk in Rangeli Municipality-3. Anita is the wife of Bechan. She was killed using a wooden log on May 19. The post-mortem of the victim was conducted at Koshi Hospital on May 19. The victim's husband Bechan Yadav and mother-in-law Bijuli Yadav were arrested on suspicion of involvement in killing. Later, brother-in-law Binod Yadav and father-in-law Ramu Yadav were also arrested on May 19 alleging that they had killed Anita Yadav. Police have registered a case against the three accused in the district court on June 12. A bench of district court judge Kishor Ghimire moved the case for legal action stating that only partial claim was fulfilled in the case on September 30. The case was not decided till the end of 2021.

HEALTH SERVICES

The district has one provincial hospital, one government hospital, 10 community hospitals, 58 health posts, 19 urban health centres, one municipal hospital, and five primary health centres. There were vacant positions for four auxiliary nurse-midwives.

There were 346,000 people with health insurance and 11,000 senior enrolled in free insurance program.

Although the foundation of the local level hospital had been laid in five rural municipalities and five municipalities in the district, the construction was in a state of disrepair. The construction work of a 10-bedded hospital had started in Budhi Ganga Rural Municipality and Kerabari Rural Municipality. The construction work of a 15-bedded hospital had started in Miklajung Rural Municipality, Kanepokhari Rural Municipality, Gramthan Rural Municipality, Patharishanishchare Municipality, Letang Municipality, Belabri Municipality, Ratuwamai Municipality and Sundarharaicha Municipality. The plan of the construction of the local level hospital was dismissed in Ratuwamai Municipality and Sundaraharaincha Municipality because of the unavailability of land.

This year, 41,125 people were diagnosed with COVID-19 and among them, 577 died. There were 111,513 people fully vaccinated against COVID-19 in the district.

Injured in Beating

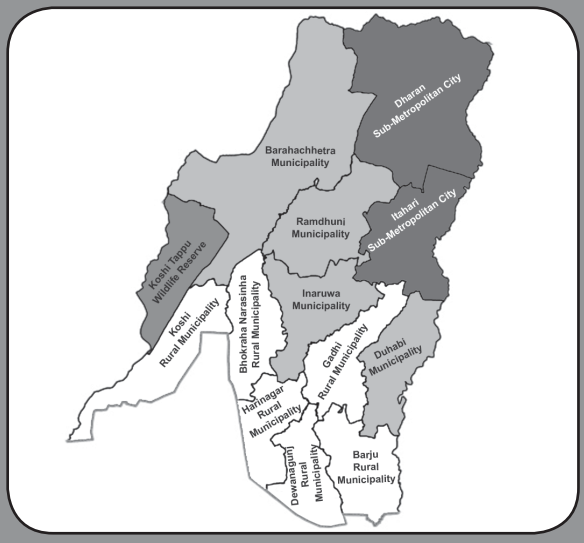
Ashok Kumar Rajbanshi, 40, a resident of Koshi Hospital, Madhumara, Biratnagar Metropolitan City-7, was returning home from his office on June 1, 2021, when police constable Umesh Bishwakarma, 39, of Devkota Chowk, Biratnagar Metropolitan City-7, injured him by hitting him with a stick. According to the victim, both his legs and abdomen were injured due to the beating. Health workers and doctors of Biratnagar staged a protest on June 3 against the beating of the health worker. The accused was punished by the District Police.

Died due to Denial in Admission

Sanjeev Shrestha, 24, son of Gunaraj Shrestha, 60, of Biratnagar Metropolitan City-3 alleged that his father died on May 2, 2021, due to lack of treatment as the hospital denied the admission of the patient at the Koshi COVID Hospital. According to the victim, the father died as the health workers of the hospital demanded a PCR report before admitting Gunaraj Shrestha to the hospital and kept the patient in the ambulance for more than two hours. According to the victim's family, the body was taken to Singhiya Ghat by the Nepal Army's corps management team on May 3. The victim's family said that they had not taken any initiative for legal proceeding yet.

Number of Incident with Status of Legal Proceeding in 2021			
CHILD RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Child Trafficking		1	1
Infanticide		1	1
Rape	2	9	11
Sexual Abuse		3	3
Total	**2**	**14**	**16**
WOMEN RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Attempt to Trafficking		1	1
Witchcraft Allegation		1	1
Rape		7	7
Attempt to Rape		1	1
Sexual Abuse	1	6	7
Women Trafficking		1	1
Total	**1**	**17**	**18**
Number of Incidents			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Killing	1	11	12

1.13 Sunsari



Total Population	9,34,461
Women	4,80,386
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	89,888
No. of Migrant Workers	50,281
Population of Disability	10,409
Literacy above 5 yrs (%)	64.46
Dependent Population	3,24,036

There were eight male victims of Human Rights violations and 145 victims (142 female and three male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; two were victims of beating, one was tortured, four died in jail and one died in detention. Similarly, 68 were victims of Child Rights Violation, 70 were victims of Women Rights Violation, one was a victim of beating, three were victims of abduction, one was injured and two were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 1600 inmates but there were 1,809 male inmates and 115 above 60 years of age and 67 of them above the age of 70 years. The inmates had access to drinking water and toilets. There were availability of telephone for communication, a library, and provisions for leisure activities. However, no enough space available for living. Two positions of health workers were vacant but the Senior Assistant Health Worker of Ramdhuni Municipality was taking care of the inmates.

Death in Detention

Mohammad Hakim Shah, 21, of Bhokraha Narasimha Rural Municipality-5 committed suicide in the detention cell of the District Police Office on October 10, 2021. Mohammad Hakim Shah was arrested for being in a romantic relationship with a 17-year-old girl. The girl's father had filed a complaint of abduction against Shah at the District Police Office. He was arrested from Hile of Dhankuta. Police registered a case against Hakim at the District Administration Office on September 29 under the heading of misbehavior. The police had prepared to produce the accused in the District Administration Office on October 8. According to the police, the accused committed suicide

by hanging himself at around 3 am. The post-mortem of the victim was conducted at BP Koirala Institute of Health Science on October 11.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with eight judges out of the position for 11 judges had adjudicated 748 criminal cases out of 2,494 and 1,650 civil cases out of 4,212. There were 523 criminal and 588 civil cases that had not been decided for over a year.

CHILD RIGHTS

Educational Status

The district has 223 elementary and 149 secondary schools. There were positions for 2,728 teachers out of which 40 were vacant. This year, 21,852 girls and 25,327 boys enrolled in the schools, including 115 girls and 218 boys with disability. There were six disability-friendly schools in the district. There were 6,914 girls and 7,417 boys from the Dalit families enrolled in the schools. Eighteen children of the martyr's families, 26 from conflict-affected families, and 73 from the families of migrant workers received scholarships.

INSEC documented 37 victims of rape, 26 victims of sexual abuse, four of child marriage and one of corporal punishment. Twenty accused of rape were sent to judicial custody and four were not arrested till the end of 2021. Twenty-one accused of sexual abuse were sent to judicial custody and five were in custody for investigation.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 599 women filed complaints of domestic violence at the Women, Children, and Senior Citizens' Service Centre among which 70 were victims of home eviction after, 67 were deprived of food and clothes, 45 were deprived of marriage registration and citizenship, 30 were victims of polygamy, 33 were victims of torture due to insufficient dowry and 354 were victims of domestic disputes. Of these, 575 complaints were reconciled, while 24 were under legal review.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Abduction				3		3
Beating		2	2		1	1
Death in Detention		1	1			
Death in Jail		4	4			
Injured				1		1
Killing				2		2
Torture		1	1			
Child Rights	Child Marriage			4		4
	Corporal Punishment				1	1
	Rape			37		37
	Sexual Abuse			25	1	26
	Total			**66**	**2**	**68**
Women Rights	Attempt to Trafficking			1		1
	Domestic Violence			3		3
	Polygamy			22		22
	Rape			41		41
	Attempt to Rape			3		3
	Total			**70**		**70**
Grand Total		**8**	**8**	**142**	**3**	**145**

INSEC documented three victims of domestic violence, 41 of rape, three of attempt to rape, one of attempt to trafficking and 22 of polygamy. Thirty-two accused of rape were sent to judicial custody, three were released on bail and five were not arrested till the end of 2021.

HEALTH SERVICES

The district has six government hospitals, four community hospitals, 49

health posts, five primary health centres, and 62 municipal health centres. There were vacant positions for nine vacant specialist doctors.

There were 378,531 people with health insurance and 30,521 senior citizens enrolled to free health insurance program. There were 1,330 people with complete disability, 556 patients with HIV / AIDS and 28 people with leprosy enrolled in the free insurance program.

This year 18,223, people were diagnosed with COVID-19 and among them, 54 died. There were 52,498 people fully vaccinated against COVID-19 in the district.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Child Marriage			4	4
Corporal Punishment	1			1
Rape		4	33	37
Sexual Abuse		5	21	26
Total	**1**	**9**	**58**	**68**

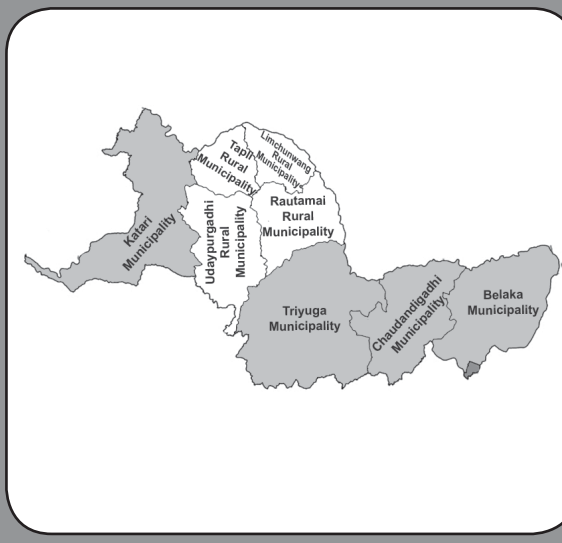
WOMEN RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Attempt to Trafficking			1	1
Domestic Violence	1		2	3
Polygamy		4	18	22
Rape		7	34	41
Attempt to Rape			3	3
Total	**1**	**11**	**58**	**70**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	2	2

1.14 Udayapur



Total Population	3,40,773
Women	1,77,739
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	81,618
No. of Migrant Workers	22,060
Population of Disability	7,781
Literacy above 5 yrs (%)	65
Dependent Population	1,46,684

There were three victims (two female and one male) of Human Rights violations who were beaten and 65 victims (64 female and one male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 24 were victims of Child Rights Violation, 37 were victims of Women Rights Violation, and four were victims of killing.

JAIL AND DETENTION

The district jail had the capacity of holding 55 inmates but there were 192 inmates, including 10 females and one dependent child. There was one male inmate above 60 years of age. The position of one health worker was vacant. The inmates were deprived of their fundamental rights such as food, shelter, and sanitation due to the overcrowding of inmates.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with three judges had adjudicated 168 out of 461 criminal cases 248 out of 749 civil cases. There were 378 criminal cases and 315 civil which had not been decided for over a year. The court had hired five employees on contract.

RIGHT TO EDUCATION

Educational Status

The district has 333 elementary and 115 secondary schools. There were positions for 2,311 teachers out of which 97 were vacant. This year, 5,993 girls and 5,852 boys were enrolled in schools including 1,132 girls and 878 boys from Dalit families. Twelve children from conflict-affected families and 62 from families of migrant workers received scholarships.

INSEC documented 17 victims rape, four of sexual abuse and three of child marriage. Two accused of rape were sentenced to jail, fourteen were sent to judicial custody and one was in custody for investigation. An accused of sexual abuse

was sent to judicial custody, one minor accused was handed to the parents, and two were sent to judicial custody.

Rape, Sexual Abuse

A complaint was filed against Tikaram Thapa Magar, 22, of Sirise in Katari Municipality-8 at the Area Police Office, on February 23, 2021, alleging had he had raped a 15-year-old girl on February 22. The accused was arrested his house on February 23. The health checkup victim was conducted at Katari Hospital on February 23. Police registered a case against the accused in court on March 17. The accused was remanded to judicial custody on March 18. He was proven guilty on September 27 and was sentenced to jail for 13 years. He was also charged NPR 100,000 as compensation to the victim.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Beating		2	1	3			
Killing					3	1	4
Child Rights	Child Marriage				3		3
	Rape				17		17
	Sexual Abuse				4		4
	Total				**24**		**24**
Women Rights	Domestic Violence				17		17
	Polygamy				3		3
	Rape				16		16
	Sexual Abuse				1		1
	Total				**37**		**37**
Grand Total		**2**	**1**	**3**	**64**	**1**	**65**

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 85 women filed complaints of domestic violence at the Women, Children, and Senior Citizens Service Centre out of which 71 were victims of beatings, seven were victims of a domestic dispute, one was deprived of a marriage certificate and six were victims of birth registration. One complaint of marriage registration and seven complaints of birth registration had been sent to other authorities and 78 complaints including 71 of beating and seven of domestic disputes were reconciled.

INSEC documented 17 victims of domestic violence, 16 of rape, three of polygamy and one case of sexual abuse. Two accused of rape were sentenced to jail, 10 were sent to judicial custody and four were released on bail. One accused of sexual abuse was released on bail of NPR 100,000.

Killed after Rape

Raju Achhame, 24, of Rautamai Rural Municipality-7 was arrested from Murkuchi on April 18, 2021, alleging that he had killed a 26-year-old unidentified woman after raping her on March 24. The accused had killed the victim by hitting her on the head with a stone. The dead body was found on Friday, April 16 and the postmortem was conducted at BP Koirala Institute of Health Sciences on April 17. The victim was unidentified therefore a 15-day long notice was published by Dharan Sub-Metropolitan City to claim the dead body but no one claimed it. The dead body was cremated by Dharan Sub-Metropolitan City. Police registered a case against the accused in court on May 12. The accused was remanded to judicial custody on the same day. He was proven guilty and sentenced to jail for a lifetime. The guilty was also fined NPR 50,000 on November 28.

Rape, Attempt to Rape and Sexual Abuse

A complaint was filed against Chandinarayan Chaudhary, 25, of Triyuga Municipality-3, Khaijanpur at the Area Police Office, Beltar on March 18, 2021, alleging that he had raped a 22-year-old woman on March 17. The accused was arrested from his house on March 17. The

health checkup of the victim was conducted at the District Hospital on March 18. Police registered a case against the accused in district court on April 8. The accused was remanded to judicial custody on May 12. He was sentenced to jail for seven years on December 8 and charged NPR 200,000 compensation to the victim. The guilty was also fined NPR 25,000.

HEALTH SERVICES

The district has three government hospitals, 46 health posts, one primary health centre and eight municipal health centres. There were vacant positions for six specialist doctors and three medical officers. There were three medical officers and three staff nurses hired on contract.

There were 18,136 people with health insurance and 2,528 senior citizens were enrolled in the free insurance program.

This year, 1,577 people were diagnosed with COVID-19 and among them, 63 died. There were 28,987 people fully vaccinated against COVID-19.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Child Marriage			3	3
Rape	2	1	14	17
Sexual Abuse		1	3	4
Total	**2**	**2**	**20**	**24**

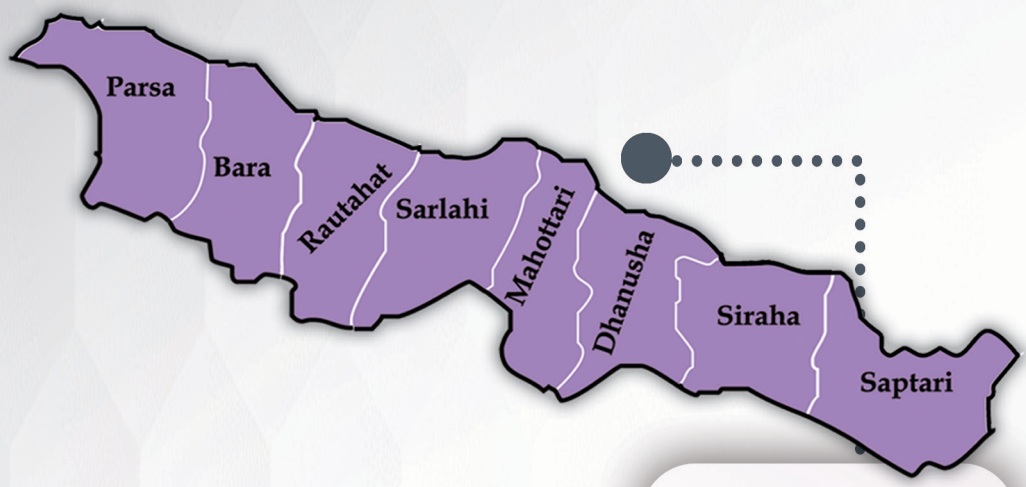
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	1	4	1	11	17
Polygamy	1			2	3
Rape	2		2	12	16
Sexual Abuse				1	1
Total	**4**	**4**	**3**	**26**	**37**

Number of Incidents

Type of Events	Closed Case	Legal Proceeding	Total
Killing	1	3	4

Madhesh Province



- Area: 9,661 sq.km.
- Population: 61,26,288
- 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

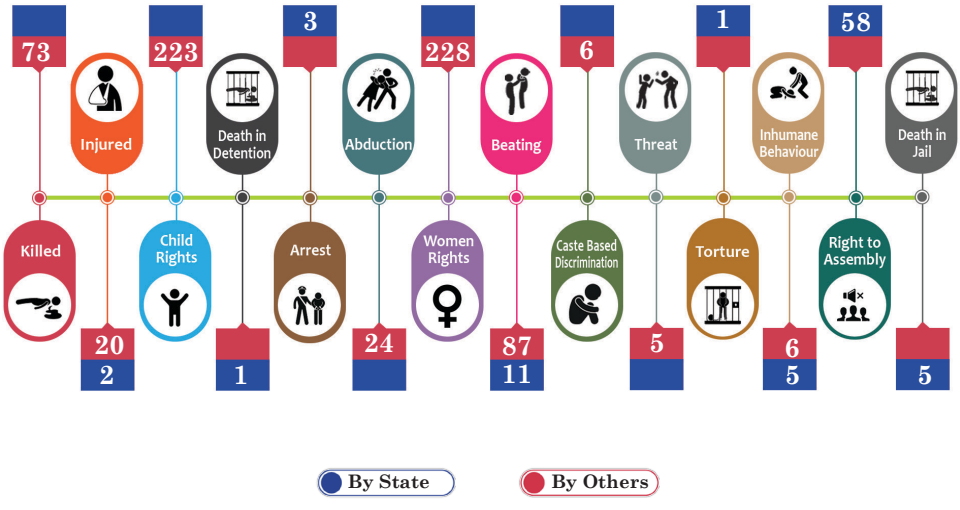
Introduction: Madhesh Province

The government of Madhesh Province adopted the policy of prosperous Madhesh through the social transformation. Forty-three laws were promulgated by the provincial assembly till the end of 2021. Legal assistance to the poor and deprived communities, protection of the girls, preventing children from the violence, and reducing the domestic violence and promotion of the self-defense were the focused programs under the annual policy and program of provincial government.

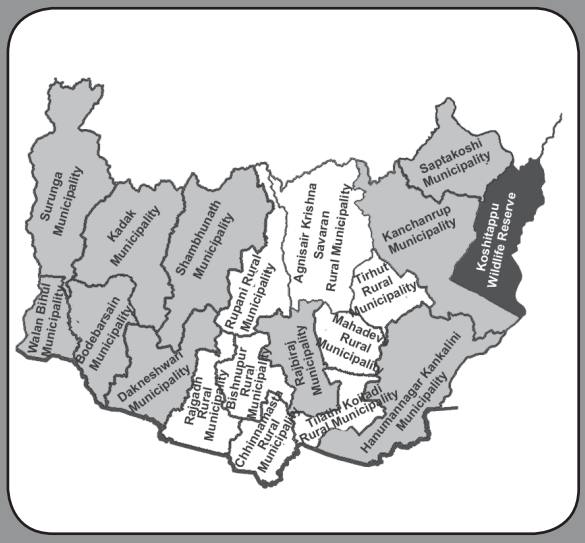
There are three universities in the province. Likewise, there are 128 colleges and 3,557 schools. This year, 1,573 houses were handed over through the "People's Housing Programme" to the targeted population. The government of Madhesh Province established 14 COVID-19 dedicated hospital for ensuring the treatment of the infected persons. This year, 38,646 persons were diagnosed with COVID-19, and among them 1,040 died. Thirty three hospital were under construction among 83, whose foundation was laid on November 30, 2020 under the "One Local Government One Hospital Program" of the federal government.

There were 86 victims (7 female and 79 male) of Human Rights violations and 672 victims (508 female and 164 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; 11 were victims of beating, one was tortured, five died in jail and one died in detention. Similarly, 223 were victims of Child Rights Violation, 228 were victims of Women Rights Violation, 87 were victim of beating, 24 were victims of abduction, 20 were injured, and 73 were victims of killing among the documented victims of abuses.

No. of Victims by Incident (In 2021)



2.1 Saptari



Total Population	7,13,203
Women	3,47,673
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	2,51,579
No. of Migrant Workers	26,433
Population of Disability	8,044
Literacy above 5 yrs (%)	65
Dependent Population	2,96,657

There were seven male victims of Human Rights violation and 89 victims (72 female and 17 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violation, three were the victims of arrest and four of death in detention. Similarly, 29 were the victims of Child Rights Violation, 38 were victims of Women Rights Violation, four were victims of abduction, six were beaten, one was a victim of inhumane behaviour, one was a victim of caste-based discrimination, two were victims of threatening and eight were victims of killing.

INHUMANE BEHAVIOUR
By Others

A complaint was filed against Ram Sagar Mandal, 50, Ram Awatar Yadav, 40, of District Maheshpur Municipality-6 at the District Police Office on June 6, 2021, alleging that they had verbally abused and misbehaved with Bir Bahadur Sah Lehra, 31, of Bara District Maheshpur Municipality-7 and Section Officer in Dakneshwor Municipality and Dhananjay Sah, 26, of Dakneshwari Municipality-1, Kabilasa, and Fourth Level Assistant of the municipality in their office on June 4. The accused duo had lodged a complaint at the municipal office alleging that the Municipal Planning Consumer's Committee was formed in a biased manner. The committee was formed for the construction of the Reinforced Concrete Pipes and culvert with the budget of NPR 500,000 in Dakneshwari Municipality-6. The accused were arrested and released on bail of NPR 5,000 each from the District Administration Office on July 12. The accused were charged with a fine of NPR 5,000 each on December 21.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Abduction				1	3	4
Arrest		3	3			
Beating				2	4	6
Death in Jail		4	4			
Inhumane Behaviour					1	1
Killing				2	6	8
Caste Based Discrimination				1		1
Threats					2	2
Child Rights	Child Marriage			2		2
	Rape			17		17
	Sexual Abuse			9	1	10
	Total			**28**	**1**	**29**
Women Rights	Domestic Violence			8		8
	Witchcraft Allegation			1		1
	Polygamy			9		9
	Rape			10		10
	Attempt to Rape			9		9
	Sexual Abuse			1		1
	Total			**38**		**38**
Grand Total		**7**	**7**	**72**	**17**	**89**

JAIL AND DETENTION

The district jail had the capacity of holding 125 inmates but there were 370 inmates, including 11 females. There was one dependent child in the jail. There was one female and 30 male inmates above 60 years of age and five male inmates above the age of 70. There were 30 inmates with chronic illnesses. There were 14 Indian nationals in the jail. The jail was overcrowded therefore the inmates were forced to sleep on the porch and even in the kitchen. The inmates had access to drinking water, toilets, newspapers, radio, television, telephone, carom board, volleyball, badminton and a library. The inmates complained about the lack of clean drinking water. The prison has not conducted skill-based training for a long time. A Senior Assistant Health Worker appointed for the regular health check-ups of the inmates.

RIGHT TO PROMPT AND FAIR TRAIL

District Court

The District Court with 10 judges has adjudicated 856 criminal cases out of 2,394 and 2,834 civil cases among 5,758 that were registered in 2021. There were 713 criminal cases and 1,279 civil cases that had not been decided for over a year. The court had appointed 28 employees on contract and five positions were vacant till the end of this year.

High Court Janakpur- Rajbiraj Bench

There were 11 judges in the High Court. This year 450 criminal cases, 876 civil cases and 50 writs were transferred to the court. There were of 394 criminal cases registered in 2021.

CHILD RIGHTS

Educational Status

The district has 342 elementary and 108 secondary schools and 177 organizational schools. There were positions for 1,807 teachers in the district. This year, 80,898 boys and 79,644 girls were enrolled in the schools among which 33 were with disabilities. Total of 24,912 girls and 24,930 boys from Dalit families were enrolled in the schools this year. There were five disability-friendly schools in the district. Four children from conflict-affected, two from the martyr's family 68 from the family of migrant workers received scholarships.

INSEC documented 17 victims of rape, 10 of sexual abuse and two of child marriage. Three accused of rape were sent to judicial custody and one was handed over to the parents. An accused of rape was released on bail of NPR 250,000 and another was released on bail of NPR 20,000. Seven accused were not arrested till the end of this year. An accused of rape

was in custody for further investigation. Police have arrested two accused of gang rape and started an investigation and six accused in the same incident were not arrested till the end of 2021. Three accused of sexual abuse were sent to judicial custody and one minor accused was sent to the child rehabilitation centre. Another accused was released on bail of NPR 10,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 21 women filed complaints of domestic violence at the Women, children and Senior Citizens' Service Centre among which nine were cases of beating and home eviction, 26 of deprivation of food and clothing, 17 of deprivation of marriage registration and citizenship, five of polygamy, 16 of not bringing dowry, and 41 of domestic disputes. Among the registerd complaints 87 were reconciled and 27 were under legal review.

INSEC documented eight victims of domestic violence, 10 of rape, nine of attempt to rape, one of sexual abuse, one of witchcraft and nine of polygamy. Two accused of rape were sent to judicial custody, one was released on bail of NPR 200,000 while two were released on bail of NPR 100,000 each. Two others were released on general date and three were not arrested till the end of 2021. An accused of attempt to rape was sent to judicial custody, three were released on bail of NPR 150,000, NPR 100,000 and NPR 60,000 respectively, three were not arrested till the end of 2021 and in one case, police did not file the complaint.

Witchcraft Allegation

A complaint was filed against Anju Devi Yadav, 48, Amarendra Kumar Yadav, 23, Lal Kumar Yadav, 35, Babita Devi Yadav, 23, Nabin Kumar Yadav, 18, at the Area Police Office on July 4, 2021, alleging that they had misbehaved with Balika Kumari Yadav, 45, of Agnisair Krishna Sawaran Rural Municipality-4 Tengri and also alleged her of witchcraft. The accused are the family members of the victim. According to victim, Anju Devi and others beat her when no one was at home, blaming her for Anju's husband's death and daughter-in-law's illness. The victim's husband Rajkumar was in Saudi Arabia and her only son lived in Itahari, for studies. The victim was treated at Mahuli Polyclinic. No complaints were registered till the end of this year.

HEALTH SERVICES

The district has three government hospitals, seven community health units, 111 health posts, four primary health centres, 19 elementary health centres, six municipal health centres, 475 vaccination centres, 447 clinics and 31 birthing centres.

There were 18 ICUs and seven ventilators in the district. The foundation stone of the Ram Raja Prasad Singh Institute of Health Sciences was laid on July 7, 2021. Kanchanpur Primary Health Centre in Kanchanrup Municipality, Kadarbona Primary Health Centre in Surunga Municipality and Lohajara Health Centre in Tirhut Rural Municipality were upgraded to 15-bedded elementary hospital with the objective of providing health services to the local level. The foundation for these hospitals were laid on November 30, 2020.

All 164 wards of the district have been declared fully vaccinated.

Death due to Unavailability of Ambulance

A 65-year-old woman of Kanchanrup Municipality-8, suffering from COVID-19 died on May 12, 2021, due to the unavailability of an ambulance to reach to the hospital. The woman was in the home isolation and had been gradually improving since May 3 but on May 12, due to a sudden lack of oxygen, she had to be taken to the hospital. The ambulance of Kanchanrup Municipality had gone to

Biratnagar and no other ambulance was available. The patient died due to a lack of timely ambulance service.

Death in the Search of Hospital

A 38-year-old man of Rajbiraj Municipality-9, Gadhiya, suffering from COVID-19 was admitted to Gajendra Narayan Singh Hospital in Rajbiraj while his family were in search of a hospital with a ventilator. He died on May 12, 2021. As there was no hospital with a ventilator in Saptari, they were in search of beds at either Dharan and Biratnagar-based hospitals. Unfortunately, the delay in the search of the hospital led the patient to death. The patient was referred to a hospital with a ventilator from a hospital at Rajbiraj. The family of the patient made great efforts to find a well-equipped hospital. Family members of the deceased said that the victim died on the way to Green City Hospital in Biratnagar. The ambulance did not have enough oxygen. The hospital was unable to provide oxygen and they had to spend two hours searching for a private cylinder.

Death Due to Untimely Treatment

A 47-year-old man of Tilathi Koiladi Rural Municipality-4 died on May 13, 2021, while visiting and searching for the hospital with a ventilator and oxygen supply.

Death While Waiting for Ventilator

A 46-year-old teacher of Rajbiraj Municipality-8 was undergoing treatment in a waiting bed of the emergency room at Gajendra Narayan Singh Hospital. He died on May 15 after not finding a ventilator. The patient was referred to a well-equipped hospital by Rajbiraj Hospital as there was no ventilator, ambulance and oxygen and ventilator. At 4 am, he was taken to Birat Nursing home but they asked the patient to wait for the ventilator as it was available only at 7 am. The patient died longing for a ventilator.

Death after Hospital Denied Admission

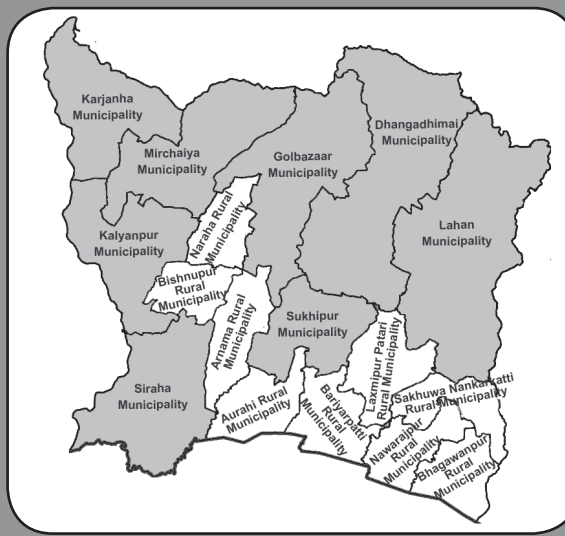
A 65-year-old woman from Kanchanrup Municipality-11, Gorpar was brought back home after not being admitted to any hospitals due to overcrowding. The hospitals then were only admitting those in a critical state and with complete symptoms of COVID-19. The woman was diabetic and had gone for a checkup at Koshi Hospital in Biratnagar on May 10. She was diagnosed with COVID-19 and since she was in a normal state, the doctors had suggested her to remain in home isolation. On May 12, after a sudden deterioration in her health, the Health Section of Kanchanrup referred her to a well-equipped hospital. Her family members and neighbours searched and pleaded with the hospitals in Dharan, Biratnagar and Rajbiraj but since the hospital beds were filled with infected people, they refused to admit her and she was brought back home. Family members said that she died on the morning of April 12 without receiving any treatment at the hospital.

Number of Incident with Status of Legal Proceeding in 2021				
CHILD RIGHTS				
Type of Events	**Investigation**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Child Marriage		2		2
Rape	6	9	1	16
Sexual Abuse	2	6	1	9
Total	**8**	**17**	**2**	**27**

CHILD RIGHTS					
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**No Legal Proceeding**	**Total**
Domestic Violence		1	7		8
Witchcraft Allegation			1		1
Polygamy		1	8		9
Rape	1	4	5		10
Attempt to Rape		4	5		9
Sexual Abuse				1	1
Total	**1**	**10**	**26**	**1**	**38**

Number of Incidents			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Killing	3	5	8

2.2 Siraha



Total Population	7,48,416
Women	3,79,367
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	2,19,339
No. of Migrant Workers	45,790
Population of Disability	6,665
Literacy above 5 yrs (%)	58.05
Dependent Population	3,09,291

There were five victims (four female and one male) of Human Rights Violation who were treated inhumanely and 131 victims (117 female and 14 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 55 were victims of Child Rights Violation, 53 were victims of Women Rights Violation, one was a victim of abduction, eleven were injured, two were victims of threatening and nine were victims of killing.

INJURED IN BLAST

Eight people, including beneficiaries and employees were injured when a pressure cooker bomb exploded at the Land Revenue Office in Lahan Municipality-8 on March 14, 2021. The injured identified as Shiva Kumar Yadav, 38, of Bishnupur Rural Municipality-3 is an employee of the office. The beneficiaries were identified as Badri Narayan Yadav, 54, of Bhagwanpur Rural Municipality-3, Dinesh Bhandari, 30, of Dhangadhimai Municipality-4, Laxmi Rana, 35, of Golbazar Municipality-6, Phul Kumari Thakur, 38, and Bechni Magar, 35, of Golbazar Municipality-4, Lal Babu BK, 45, of Lahan Municipality-16 and Bhola Bahadur Pache Magar, 82, of Dhangadhimai Municipality-13. They were treated at Ram Kumar Umaprasad Memorial Hospital and Saptarishi Hospital. However, Dinesh Bhandari was airlifted to Kathmandu for further treatment. The blast damaged office infrastructure. Ram Rijhan Yadav, 25, of Sukhipur Municipality-5 and Abhimanyu Giri, 26, of Laxmipur Patari Rural Municipality-3 were arrested on March 29 from their residence for their involvement in the incident. Abhimanyu has been a member of the Janatantrik Mukti Morcha for the past five years. Both the accused have had a history of involvement in other similar bomb blasts in the past as well. Pieces of the pamphlets of Janatantrik Mukti Morcha were found at

the crime scene. Police registered a case of Organized Crime against the accused on May 25. The court remanded the accused to judicial custody. The case was not decided till the end of this year.

JAIL AND DETENTION

The jail had the capacity of holding 150 inmates but there were 646 inmates including 34 females. There were two dependent children in the jail. Due to overcrowding, the jail suffers from management and space problems. There were 10 inmates above 60 years of age and four above 70 years of age. The jail provided skill-based income-generating training to the inmates. The physical structure of the jail was in a vulnerable state. There was a scarcity of drinking water. The inmates had access to sports equipment and board games. This year an inmate died on the way to Dharan while being taken for treatment. In 2021, 507 inmates were infected with COVID-19.

RIGHT TO PROMPT AND FAIR TRIAL

There District Court with seven judges had adjudicated 1,070 criminal cases out of 2,357 and 4,064 civil cases among 6,381 this year. The court had hired 23 employees on contract and 26 positions were vacant.

CHILD RIGHTS

Educational Status

The district has 341 elementary schools and 84 secondary schools. There were positions for 1,763 teachers in the district. This year, 14,054 girls and 125,224 boys were enrolled in schools among which 249 girls and 136 boys were with disabilities. There were 25,395 girls and 28,850 boys from the Dalit families.

INSEC documented 44 victims of rape, nine of sexual abuse, and two of trafficking. Fifteen accused of rape were sent to judicial custody, four were sent to the child rehabilitation centre and two were released on general dates. One accused of rape was in custody for investigation and 23 were not arrested till the end of 2021. An accused of sexual abuse was sentenced to jail and the other four were sent to judicial custody. Four accused were not arrested till the end of 2021.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Abduction						1	1
Inhumane Behaviour		4	1	5			
Injured					4	7	11
Killing					5	4	9
Threats						2	2
Child Rights	Child Trafficking				2		2
	Rape				44		44
	Sexual Abuse				9		9
	Total				**55**		**55**
Women Rights	Attempt to Trafficking				1		1
	Witchcraft Allegation				5		5
	Polygamy				18		18
	Rape				21		21
	Attempt to Rape				8		8
	Total				**53**		**53**
Grand Total		**4**	**1**	**5**	**117**	**14**	**131**

Rape, Sexual Abuse

A complaint was filed against Ram Chalitar Shah, 53, of Sukhipur Municipality-7 at the Area Police Office on March 9, 2021, alleging that he had sexually abused an 11-year-old girl on March 8. The health checkup of the victim was conducted at the District Hospital on March 9. The accused was arrested on March 9. Police registered a case against the accused at the District Court on March 24. The accused was remanded to judicial custody on March 25. The guilty was sentenced to jail for nine years on December 9. He was also charged a fine of

NPR 300,000 and compensation of NPR 50,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 80 women filed complaints of domestic violence at the Women, Children, and Senior Citizens' Service Centre among which 71 were reconciled and the remaining were sent to the court.

INSEC documented 21 victims of rape, eight of attempt to rapes, 18 of polygamy, five of witchcraft allegation, and one of an attempt to trafficking. Seven accused of rape were sent to judicial custody while 11 accused were not arrested till the end of 2021. Two were released on bail of NPR 150,000 and NPR 40,000 respectively and one was in custody for investigation. An accused of attempt to rape was sent to judicial custody and the five were not arrested till the end of 2021.

Killed by Family Members

A complaint was filed against Dipendra Chaudhary, 29, of Dhangadhimai Municipality-3 at the Area Police Office, Lahan on June 5, 2021 alleging that he had killed his pregnant wife Puja Chaudhary, 28, by setting her on fire on June 4. According to the victim's side, the accused had set fire to the eight-month-pregnant Puja by sprinkling petrol over her after she denied on giving him money to buy alcohol. The victim was rushed to Kamana Nursing Home for treatment but they referred her to Nobel Hospital in Biratnagar since the treatment was not possible there. The second hospital referred her to Kathmandu. Puja died at Sindhuli on June 5 while she was being taken to Kathmandu. The post-mortem of the body was conducted at Ram Kumar Umaprasad Memorial Hospital in Lahan on June 6. The accused was arrested from his house on June 7. Police registered a case against the accused at the court on June 30. The accused was remanded to judicial custody on July 12. The case was not adjudicated till the end of this year.

Witchcraft Allegation

A complaint was filed against Ghuran Sah, 30, Surji Sah, 48, Koshila Sah, 40, and Sarita Sah, 27, of Aurahi Rural Municipality-5 at the District Police Office on April 18, 2021, alleging that they had beaten and stuffed faeces to Hiradevi Sah, 45, accusing her of witchcraft on April 17. According to the victim, she had gone to pour water on the head of her nephews as a blessing on the occasion of *Jud Sital* festival celebrated in Madhes, on April 15. For some reason, the cow belonging to the accused had died after two days on April 17 then her nephews accused her of killing the cow through witchcraft and she was beaten. The accused Ghuran was arrested on April 18, meanwhile other absconding accused are still not arrested. Police registered a case in the district court against the accused on May 12. The accused was remanded to judicial custody on May 16. The case was not adjudicated till the end of 2021.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The cadres of Janamat Party destroyed a truck (Na 5 Kha 5522) by setting it on fire on December 26, 2021. Along with the truck, they had also sabotaged a bus (Na 7 Kha 1050), a mini truck (Ko 1 Kha 7446), a Hiace Van (Ba 5 Kha 7159) and a car (Province 3-01-023 Cha 8297) but pelting stones on them. The destruction was caused after the public disobeyed the strike that was declared at the road section of Narahaa Rural Municipality-3. The cadres pelted stones and smashed the front and rear windows of those vehicles. The protest was caused after the farmers were deprived of the free wheat seeds. The seeds kept for distribution to the farmers of Aurahi Rural Municipality were looted by four farmers on December 21 alleging the process of distribution was biased and slow. A complaint was filed against four of them and police arrested Mithilesh Yadav of Aurahi Rural Municipality-3 on December 23. As a response to it, the cadres

of the Janamat Party had padlocked the rural municipality office and conducted a torch rally on December 25. They also held a general strike on December 26.

HEALTH SERVICES

The district has three government hospitals, one community hospital, 103 health posts, four primary health centres, and three municipal health centres. There were vacant positions for 10 specialist doctors and five auxiliary nurse-midwives.

There were 49,515 people with health insurance among which 10,631 were senior citizens.

The foundation of the local level hospitals were laid down on November 30, 2020. The construction work of a 10-bedded hospital was ongoing at Siraha Municipality and construction work of a 15-bedded hospital was ongoing at Golbazaar Municipality, Mirchaiya Municipality, Sukhipur Municipality, Dhangadimai Municipality and Karjancha Municipality. The construction work of the hospitals at Kalyanpur Municipality, Naharaa Rural Municipality, Aurahi Rural Municipality, Bhagwanpur Rural Municipality had not started yet. The construction work at Anarma Rural Municipality was in the process of DPR and the construction work at Bishnupur Rural Municipality was halted due to legal issues.

This year 1,732 people were diagnosed with COVID-19 in the district and among them, 109 died.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Child Trafficking			2	2
Rape		24	19	43
Sexual Abuse	1	3	4	8
Total	**1**	**27**	**25**	**53**

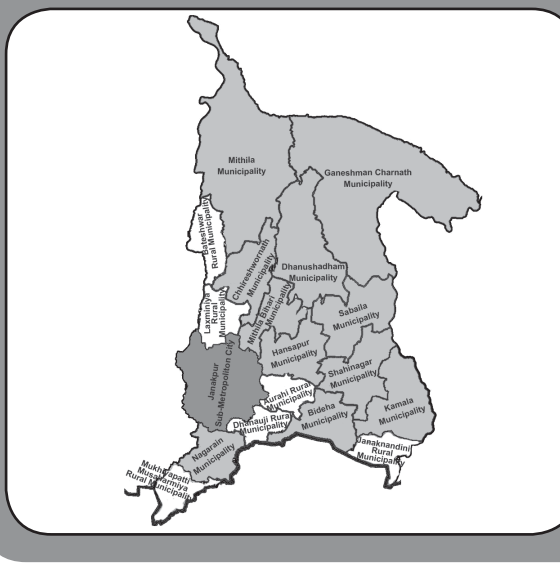
WOMEN RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Witchcraft Allegation			5	5
Polygamy	3	6	9	18
Rape		10	11	21
Attempt to Rape		7	1	8
Total	**3**	**23**	**26**	**52**

Number of Incidents

Type of Events	Investigation	Legal Proceeding	Total
Killing	1	8	9

2.3 Dhanusha



Total Population	8,73,274
Women	4,38,939
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	1,74,071
No. of Migrant Workers	60,400
Population of Disability	8,412
Literacy above 5 yrs (%)	50.44
Dependent Population	3,46,824

There were eighteen male victims of Human Rights Violation and 111 victims (72 female and 39 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; three were victims of beating, one died in detention, 13 were deprived of their right to assembly, expression and association and one was a victim of torture. Similarly, 35 were victims of Child Rights Violation, 27 were victims of Women Rights Violation, four were victims of abduction, 21 were victims of beating, one was injured, two were victims of inhumane behaviour, one was a victim of caste-based discrimination, and twenty were victims of killing.

BEATING

By State

A complaint was filed at the District Police Office, District Administration Office, and National Human Rights Commission on June 27, 2021, alleging custodial torture on Ravishankar Kumar Pandit, 15, of Shahidnagar Municipality-4. It is alleged that he was tortured by the Area Police Office, Yadukoha on June 26. The victim's uncle told that Ravishankar Kumar was taken to the Provincial Hospital in Janakpur on June 26 for treatment while he became unconscious in the custody. Ravishankar was arrested on a theft case. He was brutally beaten then. According to Shatrudhan Pandit, the father of the victim, Ravishankar was taken to the police custody after he delivered milk at Manish Gupta's house as always. According to the victim's family, Ravishanker was badly wounded and had bruises on his thighs. His feet, fingers, and toes were swollen. The victim's family has claimed that Shartudhan Pandit was taken by the Police while nobody was present at the house and requested the human rights activists for justice on this case. Inspector Sambhit Bhandari of the Area Police Office, Yadukoha, has claimed that Ravishankar was investigated on the basis

of the CCTV Footage of Manish Gupta's house but there is no such case of beating by the police as complained.

INHUMANE BEHAVIOUR

By Others

Rajeshwar Kushwaha, 45, Acting Chief Engineer of the Federal Department of Drinking Water and Sewerage Management and resident of Bishrampur in Brindawan Municipality-1 of Rautahat District was beaten by the cadres of Janamat Party and was taken to Janakpur Bazaar in a half-naked state on October 21, 2021. According to Om Bikram Kushwaha, District Chairperson of the Janamat Party, the party had taken "public action" after the rainwater from Janakpur and other parts of the country could not be drained from the sewage of Janakpur. The cadres of the Janamat Party reached the office of the department and threw mud on the victim Kushwaha. They made him half-naked and took him to Pidarichowk and Ramananda Chowk areas of Janakpur.

DEATH IN CUSTODY

Paltu Ravidas, 40, of Laxminiya Rural Municipality-2 was found hanging dead in the custody of the District Police Office on July 30, 2021. He was in custody on the charge of an attempt to murder and on July 26 the court had given him bail with the amount of NPR 200,000. The District Court had ordered to send Ravidas to Sindhuli District Jail on July 26 as he was not able to deposit the bail amount. Ravidas had urged the court to give him a few days so that he could make arrangements for the bail amount, therefore he was kept in custody. The family of the victim declared to receive the dead body only after unbiased investigation, action against the perpetrator and compensation to the family. According to the Chief District Officer of Dhanusha, Bandhu Prasad Bastola, both the parties agreed on forming a high-level investigation team to investigate the incident and recommend relief for the victim family to the Ministry of Home Affairs. Bastola also informed that the victim's family received the body of the deceased after the agreement. The post-mortem of the body was conducted on July 30. Jayaprakash Yadav, 30, the policeman on duty during Ravidas' death was suspended for six months on August 3.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Abduction				1	3	4
Beating		3	3	4	17	21
Death in Detention		1	1			
Inhumane Behaviour					2	2
Injured				1		1
Killing				6	14	20
Cast Based Discrimination					1	1
Right to Assembly		13	13			
Torture		1	1			
Child Rights	Child Trafficking			1		1
	Corporal Punishment				1	1
	Rape			22		22
	Sexual Abuse			10	1	11
	Total			**33**	**2**	**35**
Women Rights	Domestic Violence			3		3
	Witchcraft Allegation			1		1
	Polygamy			9		9
	Rape			11		11
	Attempt to Rape			2		2
	Sexual Abuse			1		1
	Total			**27**		**27**
Grand Total		**18**	**18**	**72**	**39**	**111**

RIGHT TO ASSEMBLY, EXPRESSION AND ASSOCIATION

CPN Committee Member Matrika Yadav, 55, of Sabaila Municipality-2,

former minister Ram Chandra Jha, 60, Janakpur Submetropolitan-4, Mayor of Dhanusha's Shaheed Municipality Uday Barbariya Yadav, 29, Pradip Sah, 30, of Hanspur Municipality-4, Kariram Yadav, 52 of Sabila Kariram Yadav, 52, Umesh Kumar Sah, 51, of Pethiagachhi, Janakpur Sub-Metropolis-6, Shiva Kumar Goit, 36, of Bideh Municipality-4, Thadi and Suresh Kapar, 44, of Sahid Municipality-5, Pachaharwa, Lal Babu Rai, 32, of Ramnagar Municipality-1, were injured in a baton charge during a clash that broke out at Janakpur Sub-metropolitan-4, Shivachowk on February 4, 2021. The clash was caused after the Dahal-Nepal division of CPN protested against the dissolving of the parliament and the appointments by the government. The injured ones were treated at the Provincial Hospital and Matrika Yadav, Ram Chandra Jha and Uday Barbariya Yadav were taken to Kathmandu for treatment. Lal Babu Rai, 32, a resident of Ramnagar Municipality-1, designated at the District Police Office was injured in the clash. He was treated at the Provincial Hospital, Janakpur. Aparajaya Mandal, 28, and Subhash Mandal, 31, of Shahid Municipality- 6, Birju Biraji, 50, and Rupesh Biraji of Shahid Municipality- 8 and Ranjit Pandey of Bideh Municipality-1 were arrested by the District Police Office and released on the same day.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

The District Court with one judge district had adjudicated in 477 criminal cases out of 1,764 and 1,817 civil cases among 5,353 in 2021. There were 404 criminal cases and 958 civil cases that had not been decided for over a year. The court has hired 22 employees on contract and 10 positions were vacant till the end of this year.

High court

There were nine judges in Janakpurdham High Court. There were 1,234 civil cases, 1,265 criminal cases and 113 writs transferred this year among which 993 cases including 505 exceeding two years and 488 of this year were adjudicated.

CHILD RIGHTS

Educational Status

The district has 442 elementary and 124 secondary schools. There were positions for 2,528 teachers in the district among which 28 were vacant. This year, 7,745 girls and 6,790 boys enrolled in schools. The number of disability-friendly schools in the district has not been determined. Twelve children from conflict-affected families and three from martyr's families received scholarships.

INSEC documented 22 victims of rape, 11 of sexual abuse, one of trafficking, and one of corporal punishment. Twenty accused of rape were sent to judicial custody, two were released on bail of NPR 400,000 and NPR 8,000 respectivelyl. Eleven accused of sexual abuse were not arrested till the end of 2021.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 433 women filed complaints of domestic violence at the Women and Children and Senior Citizens' Service Centre among which 397 complaints were reconciled and six were sent to court while 30 cases are under investigation. Out of 52 incidents of deprivation of food and clothes, 49 cases were reconciled and three were under investigation, out of 36 complaints of verbal abuse, 49 were reconciled and seven were under investigation. Out of the four complaints related to dowry cases, three were reconciled and one was under investigation. Out of the 57 cases of home evictions, 48 were reconciled and nine were under investigation. Out of the three cases registered for economic reasons, two were settled and one was under investigation.

INSEC documented three victims of domestic violence, 11 victims of rape,

two of attempt to rapes, one of sexual abuse, one of witchcraft allegation and nine of polygamy. Eight victims of rape were sent to judicial custody and three were not arrested till the end of 2021. An accused of attempt to rape was sent to judicial custody and another was released on bail of NPR 400,000. The accused was not arrested till the end of 2021. Sixteen accused of polygamy were released on bail of NPR 50,000 each. Two were released on bail of NPR 100,000 while two were not arrested till the end of 2021.

Witchcraft Allegation

Shiladevi Mahara, 35, of Rajaul in Janakpurdham Sub-Metropolitan-14 was beaten by Mangal Mahara, 48, Sumitradevi Mahara, 45, Sanjit Mahara, 27, Rabin Mahara, 20, and Devaki Devi Mahara, 26. They had beaten her alleging her of witchcraft and stuff her with faeces. The victim had filed a case against the accused on July 28, 2021. Initially, the District Police Office denied on filing complaint against the group of accused. The complaint was lodged through the District Public Prosecutor's Office after the joint initiative of INSEC, WOREC and Women's Rights Defenders Network Dhanusha. According to the victim Shiladevi, the accused had beaten her on July 16 while she was alone at home. The victim was treated at the Provincial Hospital, Janakpur on July 16. The accused were not arrested till the end of 2021.

Killed by Family Member

Santosh Paswan, 29, of Laxminiya Rural Municipality-4, was arrested on June 29, 2021, on the charge of strangling and killing his 23-year-old wife Priyanka Paswan. Aryan Paswan, the five-year-old son of the deceased stated that his father had beaten his five-month-pregnant mother to death on June 28. According to Aryan, his father kicked his mother's belly. The father of the deceased, Binod Paswan, has accused Santosh of repeatedly beating his daughter after consuming alcohol. A complaint was filed against the accused at the Area Police Office, Mahendranagar on June 29. The post-mortem of the body was conducted at the Provincial Hospital, Janakpur on June 29. Priyanka, originally from Balwari Municipality-5, Mahottari district, got married to Santosh six years ago. Police registered a case against the accused in the court on July 8 and was remanded to judicial custody on the same day. The case was not adjudicated till the end of 2021.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Arson

An unidentified group set fire to Janakpur Public School at Bishwakarma Chowk of Janakpurdham Sub-Metropolitan-4 on April 24, 2021. The school administration stated that the fire destroyed the property worth around NPR Two Million. According to the principal Engineer Basanta Raj Sah, administrative and financial documents of the school, laptop, computer, school dresses, CCTV system, and furniture were destroyed by the fire. Police and locals had brought the fire under control with the help of fire extinguishers of Janakpurdham Sub-metropolitan on April 24. The incident was under investigation. A complaint was lodged at the District Police Office, Dhanusha on April 25 demanding the local administration to take strict action against the perpetrator.

HEALTH SERVICES

The district has a Madhesh Health Science Academy and a Provincial Hospital, 120 health posts, four primary health centres, and 18 municipal health centres. There were vacant positions for nine specialist doctors and 15 assistant health workers.

There were 10,000 people with health insurance. Treatment with medicines under the insurance program and free insurance program for senior citizens

has been stopped at the Provincial Hospital Janakpur. Despite the free check-up, the hospital administration has not been able to provide the medicine due to internal management.

The foundation of the hospital in 12 out of 18 local levels were laid on November 30, 2020. The construction work had started only in Bideha Municipality, Mithila Municipality, Nagarain Municipality, Dhanushadham Municipality, Bateshwor Rural Municipality and Ganeshman Charnath Municipality.

Number of Incident with Status of Legal Proceeding in 2021

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Child Trafficking			1			1
Corporal Punishment		1				1
Rape	1		5	15	1	22
Sexual Abuse		1	1	7		9
Total	**1**	**2**	**7**	**22**	**1**	**33**

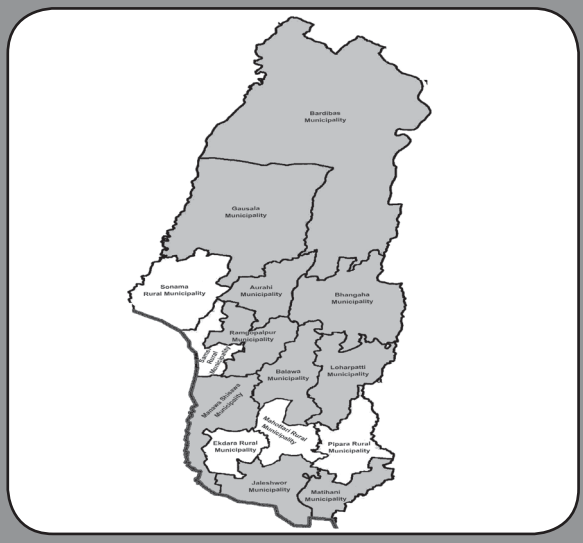
WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	1	1	1	3
Witchcraft Allegation		1		1
Polygamy		1	8	9
Rape		3	8	11
Attempt to Rape			2	2
Sexual Abuse			1	1
Total	**1**	**6**	**20**	**27**

Number of Incidents

Type of Events	Investigation	Legal Proceeding	Total
Killing	7	11	18

2.4 Mahottari



Total Population	7,15,040
Women	3,60,088
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	1,00,544
No. of Migrant Workers	40,541
Population of Disability	10,166
Literacy above 5 yrs (%)	47
Dependent Population	3,15,767

There was one male victim of Human Rights Violation who was beaten and 45 victims (37 female and eight male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 11 were victims of Child Rights Violation, 21 were victims of Women Rights Violation, three were victims of abduction, one was a victim of beating, one was injured, one was victim of inhumane behaviour, one was a victim of caste-based discrimination, and six were victims of killing.

JAIL AND DETENTION

The District Jail had 561 inmates and five dependent children. Due to overcrowding, the inmates had to divide single rooms among themselves and sleep on a day or night shift.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with seven judges had adjudicated 110 criminal cases out of 590 and 653 civil cases among 2,208 this year. There were 56 cases (14 criminal cases and 42 civil cases) that had not been decided for over two years.

CHILD RIGHTS

Educational Status

The district has 229 primary level schools and 83 secondary level schools. There were positions for 1,505 teachers in the district out of which 55 were vacant. This year, 42,611 girls and 48,653 boys were enrolled in schools. There were 16-disability friendly schools in the district. This year 22,542 students from Dalit families and 29 children from conflict-affected families received scholarships.

INSEC documented eight victims of rape, two of sexual abuse and one of child marriage. Eight accused of rape, two of sexual abuse and one of child marriage were sent to judicial custody. Two minor accused of rape were sent to a child reha-

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Abduction				2	1	3
Beating		1	1		1	1
Inhumane Behaviour					1	1
Injured					1	1
Killing				3	3	6
Caste Based Discrimination					1	1
Child Rights	Child Marriage			1		1
	Rape			8		8
	Sexual Abuse			2		2
	Total			**11**		**11**
Women Rights	Domestic Violence			1		1
	Witchcraft Allegation			3		3
	Polygamy			7		7
	Rape			5		5
	Attempt to Rape			4		4
	Women Trafficking			1		1
	Total			**21**		**21**
Grand Total		**1**	**1**	**37**	**8**	**45**

bilitation centre and two were not arrested till the end of 2021.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 306 women filed complaints of domestic violence at the Women, Children, and Senior Citizens Service Centre including 182 victims of beating and home eviction, 78 victims of deprivation of food and clothes, 30 victims of deprivation of marriage registration and citizenship, eight victims of polygamy, six of threatening and two victims of witchcraft allegation. Among them, 147 complaints were reconciled, 12 were undergoing the judicial process and the remaining are underway to several proceedings.

INSEC documented one victim of domestic violence, five of rape, four of attempt to rapes, three of witchcraft allegation, one of trafficking and seven of polygamy. Five accused of rape were sent to judicial custody and two were not arrested till the end of 2021. Two accused of attempt to rape were sent to judicial custody and one accused was released on bail of NPR 50,000 meanwhile one accused was not arrested till the end of 2021.

Killed by Family Members

A complaint was filed against the family members of Sujita Thakur, 26 of Loharpatti Municipality-7 at the District Police Office on June 18, 2021, alleging that they had killed Sujita in the greed of dowry. Mukesh Thakur, 29, and Rupesh Thakur, 27, were arrested on June 27. Sujita was the wife of Mukesh and the accused have been alleged of killing her for insufficient dowry. Sujita had been missing since June 3, 2021, and her dead body was found buried in the safety tank near their petrol pump on June 27. The deceased has a nine-year-old daughter and a five-year-old son. Sujita had been missing for a long time and her family has alleged her husband's family for her death. Mukesh's family had been claiming that Sujita had eloped with someone. It was found buried nine feet below the surface. The body was brought to Jaleshwar Hospital for post-mortem. Police arrested her brother-in-law Rupesh Thakur, 27, Kishori Mandal, 37, Aadam Raine, 33, and Nathuni Mandal, 32, on July 27 on the charge of killing Sujita. Although Rupesh Thakur was arrested for being involved in the case, Sujita's father-in-law, mother-in-law and sister-in-law were not arrested till the end of this year. While investigating the incident, police arrested Sujita's father Kameshwor Pandey, 50, Binod Mandal, 55, and Anju Thakur Chaudhary, 35 on August 2. The Mahottari District Court remanded Sujita's brother-in-law Rupesh Thakur and father Kameshwor Pandey to judicial custody on August 10. Binod Mandal, Kishori Mandal, Aadam Rain and Nathuni Mandal were arrested for carrying the dead body and burring it. They were released on bail

of NPR 100,000 each. Anju Thakur was arrested for concealing the incident and was therefore released on bail of NPR 10,000.

Witchcraft Allegation

A complaint was filed against Jibo Devi, 40, Ram Sulindra Baitha, 27, Ram Jinish Baitha, 55, and Kunti Devi, 48, at the District Police Office on April 12, 2021, accusing them of beating and attempting to kill Sonavati Devi, 60, of Manarasiswa Municipality-7 on April 11. The victim was also alleged of witchcraft. The victim was treated at Jaleshwor Hospital on April 12. Police registered the case in the court on April 13. The accused were released on bail of NPR 10,000 on April 18. The case was not adjudicated till the end of 2021.

Violence for Dowry

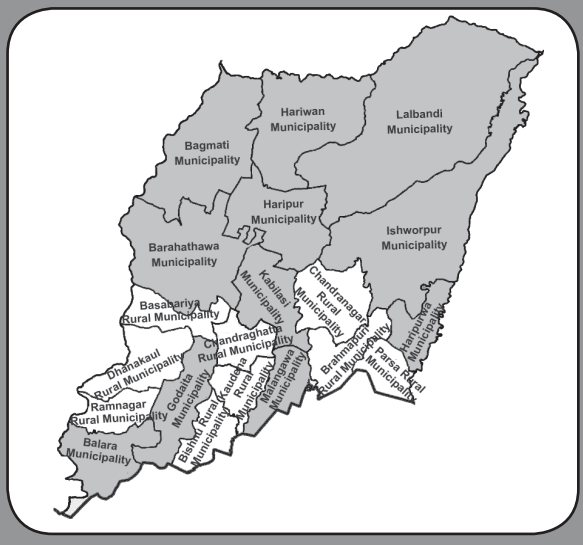
A complaint was filed against Jog Narayan Sah, 24 and his family at the District Police Office on June 7, 2021, alleging that they had beaten Amrita Sah, 21, of Haripurwa Municipality-2 for not bringing sufficient dowry. It is alleged that the accused had left injured Amrita at her mother's house in Samsibazar and escaped. They were married on April 26, 2021, and the victim's husband, father-in-law Anup Sah, 50, brothers-in-law Satyanaran Sah, 30, Bhagnarayan Sah, 26, Shatrohan Sah, 20, and mother-in-law Rajkhorbali, 45, had started beating her for not bringing LPG cylinder, stove, rice-cooker, TV and refrigerator as dowry. The argument started after Amrita's mother-in-law got infuriated by her when she asked what she is supposed to cook and as a response, she started taunting Amrita and pressurized her to get kitchen appliances from her parent's house. Initially, Amrita had brought NPR 375,000 cash, 23.32g gold, 139.92g silver, one set of furniture and clothes as dowry. According to her parents, they had spent NPR 1,200,000 in her wedding. The victim filed a complaint against the entire family. Anup Sah, the father-in-law was arrested on June 7 for being involved in the incident and a search was ongoing for others involvement in the incident. The incident was reconciled on June 13.

HEALTH SERVICES

The district has two government hospitals, five primary health centres, 18 health posts, and 52 sub-health posts. Although a five-bedded ventilator has been installed at the District Hospital, Jaleshwor with the financial assistance of the Ministry of Social Development, due to the lack of skilled workforce, the service is yet to start. There were vacant positions for two medical officers and three staff nurses. With the assistance of the Ministry of Health, a new building was constructed two years ago at the District Hospital, Jaleshwor.

Number of Incident with Status of Legal Proceeding in 2021				
CHILD RIGHTS				
Type of Events	**Investigation**		**Legal Proceeding**	**Total**
Child Marriage	1			1
Rape	2		6	8
Sexual Abuse			2	2
Total	**3**		**8**	**11**
WOMEN RIGHTS				
Type of Events	**Compromise**	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence	1			1
Witchcraft Allegation			2	2
Polygamy		3	4	7
Rape		2	3	5
Attempt to Rape		1	3	4
Women Trafficking			1	1
Total	**1**	**6**	**13**	**20**
Number of Incidents				
Type of Events		**Legal Proceeding**		**Total**
Killing		6		6

2.5 Sarlahi



Total Population	8,57,360
Women	4,23,978
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	1,35,268
No. of Migrant Workers	21,401
Population of Disability	9,585
Literacy above 5 yrs (%)	89
Dependent Population	386,976

There were 40 victims (three female and 37 male) of Human Rights Violation and 66 victims (21 female and 45 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; six were victims of beating, 32 were deprived of their right to assembly, expression and association and two were injured. Similarly, six were victims of Child Rights Violation, eight were victims of Women Rights Violation, one was a victim of abduction, 30 were victims of beating, seven were injured, two were victims of caste-based discrimination, and 12 were victims of killing.

JAIL AND DETENTION

The building of the district jail was in a vulnerable state due to the Maoist attack of 2005 and the massive earthquake of 2015. Therefore, the inmates of Sarlahi District Jails were sent to Sunsari, Mahottari, Rautahat, and Sindhuli district jails from last 10 years.

The construction of the new building with a capacity of holding 250 male and 150 female inmates is going on.

INJURED IN CLASH

In a clash between the cadres of NCP (Prachanda-Nepal fraction) and the cadres of Nepal Congress on January 10, 2021. Dinesh Raya, 36, Ranjit Yadav, 33, of Chakraghata Rural Municipality-2, Santosh Yadav, 28, and Santosh Yadav, 28, of Chakraghata Rural Municipality -9 Ghoriya Dhirendra Yadav, Pappu Yadav, 22 and Nabin Kumar Yadav, 33 of Chakraghata Rural Municipality -7 Sagardina were injured. The clash erupted after Ram Jinish Sah, 61, of Chakraghatta Rural Municipality -6 was beaten by followers of Bikram Yadav Chairperson of Chakraghatta Rural Municipality on January 9. All the injured were treated at the District Hospital, Malangwa and referred

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Abduction						1	1
Beating			6	6	2	28	30
Injured			2	2		7	7
Killing					5	7	12
Caste Based Discrimination					1	1	2
Right to Assembly		3	29	32			
Child Rights	Infanticide					1	1
	Rape				4		4
	Sexual Abuse				1		1
	Total				**5**	**1**	**6**
Women Rights	Domestic Violence				1		1
	Rape				1		1
	Attempt to Rape				6		6
	Total				**8**		**8**
Grand Total		**3**	**37**	**40**	**21**	**45**	**66**

to Birgunj for further treatment. It is alleged that Ram Janis Sah was beaten and injured by a Nepali Congress cadre lathe machine operator. Yadav has alleged that the locals vandalized the Scorpio Jeep (Na 1 Jha 1700) and the office of Chakraghata Rural municipality and caused damage worth millions of rupees. No complaint was lodged in the police till the end of this year.

After it was decided that the ward office of Chandrapur Rural Municipality that was located at Chandrapur Rural Municipality-7 would be shifted to Chandrapur Rural Municipality-2, Babargunj, the locals, cadres of Nepali Congress and CPN came in unity and padlocked the office of Chandrapur Rural Municipality on March 5, 2021. As a result, the police charged batons on them and fired 14 rounds of tear gas. The injured ones were identified as Ram Kalebar Rai Yadav, 36, Sakindra Mukhiya, 28, Rakesh Mahato, 29, Ram Samindra Mukhiya, 31, Navraj Kumar Mahato, 33, Ram Kalesh Singh, 30, Bivek Danuwar, 24, Rabindra Sahani and Satyanarayan Danuwar, 28. The injured were taken to the District Hospital, Malangwa for further treatment. The injured security personnel are Ram Naresh Rai, 32, Binod Mahato, 29, and Ram Chandra Ray Yadav, 34. The incident was reconciled and no complaint was lodged in this regard.

RIGHT TO PROMPT AND FAIR TRAIL

The District Court with six judges had adjudicated 482 criminal cases out of 637, 572 civil cases among 822 in 2021. There are 205 criminal and 311 civil cases that had not been decided for over a year. The court has hired 27 employees on contract and seven positions were vacant till the end of this year.

CHILD RIGHTS

Educational Status

The district has 555 elementary and 133 secondary schools. There were positions for 2,526 teachers in the district. This year 13,865 girls and 11,734 boys were enrolled in the schools among which 114 girls and 96 boys were with disabilities. There were 1,213 girls and 1,122 from the Dalit families enrolled in the schools.

INSEC documented four victims of rape, one of sexual abuse and one of infanticide.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 434 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service among which 298 were reconciled, 66 victims were out of contact, 70 complaints were under legal review.

INSEC documented one victim of domestic violence, one of rape and six of attempt to rape. Two accused of rape were sent to judicial custody and one was not arrested till the end of 2021. Five accused

of attempt to rape were sent to judicial custody and one was not arrested till the end of 2021.

Killed by Family Member

Bijay Lal Karna, 35, of Hariwan was arrested on May 10, 2021, on the charge of beating his wife Ushadevi Karna, 32, of Lalbandi Municipality-2 to death. The accused had hit the victim with a heavy object after a domestic dispute. The post-mortem of the body was conducted at the District Hospital, Malangwa on May 10. He was remanded to judicial custody on May 18. The case was not adjudicated till the end of this year.

HEALTH SERVICES

The district has one government hospital, 18 community hospitals, 196 health posts, four primary health centres, and five municipal health centres. There were vacant positions three specialist doctors, one staff nurse and two auxiliary nurse-midwife.

There were 21,376 people with health insurance.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Infanticide		1		1
Rape		3	1	4
Sexual Abuse	1			1
Total	**1**	**4**	**1**	**6**

WOMEN RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Domestic Violence		1	1
Rape		1	1
Attempt to Rape	2	4	6
Total	**2**	**6**	**8**

Number of Incidents

Type of Events	Investigation	Legal Proceeding	Total
Killing	3	7	10

2.6 Rautahat

Total Population	8,25,623
Women	4,09,759
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	2,27,000
No. of Migrant Workers	9,331
Population of Disability	8,658
Literacy above 5 yrs (%)	47
Dependent Population	2,64,751

There were six male victims of Human Rights Violation and 85 victims (58 female and 27 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; one died in jail and five were deprived of their right to assembly, expression and association. Similarly, 31 were victims of Child Rights Violation, 23 were victims of Women Rights Violation, 24 were victims of beating, two were victims of inhumane behaviour and five were victims of killing.

JAIL AND DETENTION

The district jail had the capacity of holding 150 inmates but there were 357 inmates among which 12 were female. One assistant health worker is appointed for the regular health check-ups of the inmates. There were five inmates with mental illness. However, no treatment has been ensured for them. There were 20 male inmates above the age of 60 years.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with seven judges had adjudicated 95 criminal cases out of 1,203 and 602 civil cases among 3,210 in 2021. There are 533 criminal cases 939 civil cases that had not been decided for over a year. The court had hired 23 employees on contract and 16 positions were vacant.

CHILD RIGHTS

Educational Status

The district has 285 elementary and 95 secondary schools in this district. There were positions for 2,231 teachers in the district out of which 1,655 were vacant. This year, 61,643 girls and 67,893 boys were enrolled in the schools. Among them, 154 girls and 208 boys were with disabilities. There were 4,100 girls and 5,400 boys from Dalit communitee enrolled in schools this year. There were nine disability-friendly schools. Seven-

teen children from the families of migrant workers, 115 children from conflict-affected families, 20 children of martyr families received scholarships.

INSEC documented 23 victims of rape, seven of sexual abuse and one of child marriage. Seven accused of rape were sent to judicial custody, seven minor accused were sent to the child rehabilitation centre, one accused was released on bail of NPR 60,000. Nine were not arrested till the end of 2021. Three accused of sexual abuse were released on bail of NPR 162,000, NPR 110,000 and NPR 50,000 respectively. One was in custody for investigation and four were not arrested till the end of 2021.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 712 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre, among which 254 complaints were reconciled, Police did not take any action on 458 complaints, as the victims filing the complaint were out of contact.

INSEC documented one victim of domestic violence, eight of rape, eight of attempt to rape, five of polygamy and one of trafficking. Two accused of rape were sent to judicial custody, two were released on bail of NPR 150,000 and NPR 100,000. Five were not arrested till the end of 2021. Three accused of attempt to rape were sent to judicial custody and three were not arrested till the end of 2021.

Acid Attack

Deepika BK, 37, of Chandranigahapur in Chandrapur Municipality-4 filed a complaint at the Area Police Office, Chandranigahapur on June 13, 2021, against her husband, Deepak BK, 42, alleging that he had injured her by splashing acid on June 12. The accused was arrested by the Area Police Office, Chandranigahapur on June 13. The victim was shifted to Nepal Cleft and Burn Centre after general treatment at Apollo Hospital Chandranigahapur on June 13. The accused was remanded to judicial custody on July 7. The case was not adjudicated till the end of the year.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Beating				1	23	24
Death in Jail		1	1			
Inhumane Behaviour					2	2
Killing				3	2	5
Right to Assembly		5	5			
Child Rights	Child Marriage			1		1
	Rape			23		23
	Sexual Abuse			7		7
	Total			**31**		**31**
Women Rights	Attempt to Trafficking			1		1
	Domestic Violence			1		1
	Polygamy			5		5
	Rape			8		8
	Attempt to Rape			8		8
	Total			**23**		**23**
Grand Total		**6**	**6**	**58**	**27**	**85**

Killed by Family Member

A complaint was filed at the Area Police Office, Laxminiya on October 1, 2021, alleging that Awadh Sah, 24, of Fatuwa Bijaypur Municipality-7 had killed his wife Sharmila Kumari, 22 by strangling her, on September 18. Awadh Sah was arrested on October 3. The body was handed over to the uncle of the deceased; Dipendra Shah after the body's post-mortem was done at Teaching Hospital, Kathmandu on September 20. The accused was remanded to judicial custody on October 21. The case was not adjudicated till the end of the year.

HEALTH SERVICES

The district has two government hospitals, 24 community hospitals, 32 health posts, a primary health center, and four municipal health centers. Eight out of 10 specialist doctors' posts in a government hospital at the district headquarters were vacant. Seven out of 11 positions of staff nurse were vacant besides only four nurses working in positions of eight nurses.

There were 21,865 people with insurance services among which 9,796 were senior citizens.

Number of Incident with Status of Legal Proceeding in 2021			
CHILD RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Child Marriage		1	1
Rape	8	15	23
Sexual Abuse	4	3	7
Total	**12**	**19**	**31**
CHILD RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Attempt to Trafficking		1	1
Domestic Violence		1	1
Polygamy	3	2	5
Rape	5	3	8
Attempt to Rape	2	6	8
Total	**10**	**13**	**23**
Number of Incidents			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Killing	2	3	5

2.7 Bara

Total Population	7,43,975
Women	3,63,783
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	2,03,484
No. of Migrant Workers	12,530
Population of Disability	11,649
Literacy above 5 yrs (%)	52
Dependent Population	3,43,957

There were eight male victims of Human Rights Violation who were deprived of their right to assembly, expression and association and 65 victims (54 female and 11 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 17 were victims of Child Rights Violation, 23 were victims of Women Rights Violation, 11 were victims of abduction, four were victims of beating, one was a victim of threatening and one was victim of caste-based discrimination.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

The District Court with seven judges had adjudicated 565 criminal cases out of 1,646 and 1,908 civil cases among 4,734 this 2021. There are 531 criminal cases and 1,176 civil cases remaining to be adjudicated in the court.

CHILD RIGHTS

Educational Status

There are 523 elementary and 75 secondary schools in the district. There were positions for 2,341 teacher in the district out of which, 1,623 positions were vaccant. This academic year, 8,244 boys and 6,519 girls were enrolled in the schools. Among them, 250 boys and 175 girls are Dalits, 130 girls and 155 boys are with disabilities. The district has 60 disability-friendly schools. Four children from conflict-affected families, two from Martyr's families and 20 from migrant workers families received scholarships.

INSEC documented 10 victims of rape and seven of sexual abuse. Seven accused of rape were sent to judicial custody

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Abduction				10	1	11
Beating				1	3	4
Killing				3	5	8
Caste Based Discrimination				1		1
Right to Assembly		8	8			
Threats					1	1
Child Rights	Rape			10		10
	Sexual Abuse			6	1	7
	Total			**16**	**1**	**17**
Women Rights	Domestic Violence			1		1
	Polygamy			5		5
	Rape			10		10
	Attempt to Rape			7		7
	Total			**23**		**23**
Grand Total		**8**	**8**	**54**	**11**	**65**

and three were not arrested till the end of 2021. Five accused were sent to judicial custody and one was not arrested till the end of 2021.

ALL KINDS OF VIOLENCE AGAINST WOMEN

In 2021, 904 women filed complaints of domestic violence at the Women, Children, and Senior Citizens' Service Centre among which 501 were reconciled and remaining were in legal review.

INSEC documented one victim of domestic violence, ten of rape, seven of attempt to rapes and five of polygamy. Six accused of rape were sent to judicial custody, one was released on bail of NPR 100,000 and two were not be arrested till the end of 2021. Ten accused of attempt to rape were sent to judicial custody and one minor accused was sent to the child rehabilitation centre. Two were not arrested till the end of the year.

Killed By Family Members

A complaint was filed at the Area Police Office, Simrongadh on March 9 and at the District Police Office on March 19 against the victim's husband Lalu Mukhiya, 26, and her father-in-law Jagat Mukhiya, 50, brother-in-law Ram Jivan Mukhiya, 35, and neighbor Ram Niwas Mukhiya, 25, of Simrasangadh Municipality-1 on a charge of beating Sarita Kumari Mukhiya, 22, of Batara Tol of Adarshkotwal Gaonpalika-3 to death.

Sarita's relatives have alleged that her in-law's family had been threatening to kill her and hide her body if not provided with the dowry of bed, blanket, and mattress. The accused and victim got married on June 21, 2018. The victims families stated that they had spent a total of 5 lakh on daughter's weeding including dowry of hero Splendor motorcycle, NPR 200,000 in cash, and NPR 50,000 for bus fare for *Janati*, clothes worth NPR 50,000 and NPR 50,000 for welcoming *Janti*. The incident is still in the pre-trial phase and the accused was not arrested till the end of theisyear.

Violence Due to Dowry

Sahera Khatun, 28 of Pachrauta Municipality-6, Pakadiya alleged six family members including her husband Soikhat Ansari of breaking her right hand using the domestic weapon on March 8, 2021. The victim's brother lodged a complaint against the Sahera's families members alleging that the had attempted to kill her. Nekmohammad Ansari, 65, his wife Macken Khatun, 60, Nekmohammad Ansari's 46-year-old son Samsodin Ansari, Samsodin Ansari's 35-year-old wife Ruabja Khatun, Nekmohammad's son Najmudin Ansari, 44, and Samudin Ansari's wife Khatmunler, 30 were alleged to be involved together on the attack. The victim was treated at National Medical College, Birgunj. According to the police,

the case was still under investigation. The accused were not arrested and the victim is living with her family at her parental house.

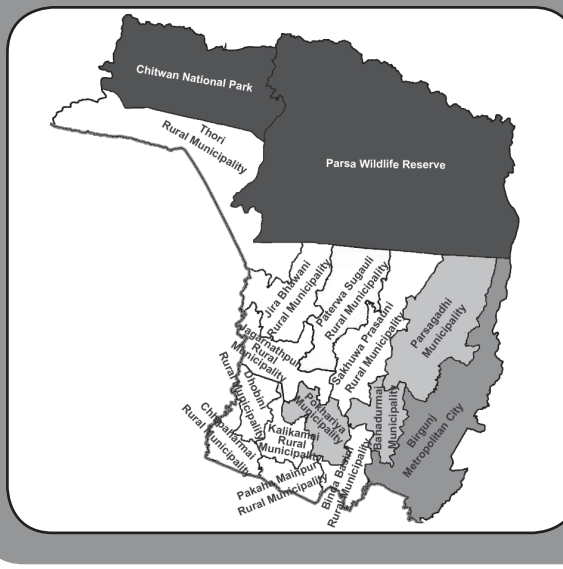
HEALTH SERVICES

The district has two government hospitals, 94 health posts, five primary health centres, 42 municipal health centers, nine urban health clinics, and two health promotion centres in the district. There were vacant positions for two specialist doctors.

There were 11,560 people with health insurances.

Number of Incident with Status of Legal Proceeding in 2021			
CHILD RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Rape	2	8	10
Sexual Abuse	1	6	7
Total	**3**	**14**	**17**
WOMEN RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence	1		1
Polygamy	1	4	5
Rape	3	7	10
Attempt to Rape	2	4	6
Total	**7**	**15**	**22**
Number of Incidents			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Killing	2	5	7

2.8 Parsa



Total Population	6,49,397
Women	3,14,478
No. of Constituency (HoR)	4
No. of Constituency (PA)	8
Below Poverty Level	1,72,599
No. of Migrant Workers	8,053
Population of Disability	6,215
Literacy above 5 yrs (%)	80
Dependent Population	2,87,578

There was one male victim of Human Rights Violation who was beaten and 80 victims (77 female and three male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 39 were victims of Child Rights Violation, 35 were victims of Women Rights and five were victims of killing.

BEATING

By State

DSP Prahlad Karki of District Police Office, Parsa was alleged of beating Afroz Ahmed, 25, of Patho Surgical House in Birgunj Metropolitan City-8 on May 26, 2021. It is alleged that DSP Karki had entered the medical shop and had beaten Ahmed on the suspicion that he had recorded the video of DSP Prahlad Karki who was making the grocery owner close the shop during the prohibitory order issued since last 16 days. Karan Patel, the owner of the surgical house, alleged that the DSP had beaten his staff assuming that he was taking his video but instead Afroz was on a video call. SP Bel Bahadur Pandey of the District Police Office, Parsa admitted the mistake and said that the incident took place while trying to supervise the prohibitory order. DIG Dhiraj Singh of the Provincial Police Office Janakpur said that a committee has been formed under the coordination of SP Krishna Prasai of the Provincial Police Office to investigate the incident. The work of the committee was not made public till the end of this year.

JAIL AND DETENTION

The Birjung jail had the capacity of holding 1,000 inmates but there were 1,304 inmates including 70 females. The health post was open 24 hours in the prison. One position of health worker was vacant. The inmates had access to drink-

ing water, toilets, newspapers, radio, television, sports equipment, volleyball, board games and a library. There were 26 inmates over the age of 60 and there were 11 foreign national in the jail. There were seven chronically ill inmates who were under regular medications.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

The District Court with 10 judges had adjudicated 1,106 criminal cases out of 1,626 and 3,166 civil cases among 4,272 that were registered in 2021. There were vacant positions for two judges, 11 section officers, four assistant officers, five clerks and one surveyor.

High Court Temporary Bench Birgunj

The temporary bench of the Janakpur High Court, had the position of 15 judges out of which three positions were vaccant. This year, 215 criminal cases, 729 civil cases and 157 writs were registered. A total of 2,303 cases were decided, including those transferred from the previous year.

CHILD RIGHTS

Educational Status

The district has 281 elementary schools and 64 secondary schools. There were positions for 2,278 teachers out of which 52 positions were vacant. This year, 11,167 children were enrolled in the schools. Of those enrolled, 53 percent were girls. There were 13,281 girls and 14,952 boys from Dalit families enrolled in the schools. There were 35 disability-friendly schools in the district. Schools had not distributed scholarships till the second week of December 2021.

INSEC documented 28 victims of rape, six of sexual abuse, four of child marriage and one of trafficking. Two accused of rape were sentenced to jail, eight were sent to judicial custody, four minor accused were sent to the child rehabilitation centre and two were released on bail of NPR 80,000 each and one was released on bail of NPR 70,000. Two accused of sexual abuse were released on bail of NPR 75,000 and NPR 20,000 respectively. Four accussed were not arrested till the end of 2021.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Beating		1	1		1	1
Killing				5		5
Child Rights	Child Marriage			4		4
	Child Trafficking			1		1
	Rape			28		28
	Sexual Abuse			4	2	6
	Total			**37**	**2**	**39**
Women Rights	Attempt to Trafficking			10		10
	Domestic Violence			1		1
	Witchcraft Allegation			2		2
	Polygamy			6		6
	Rape			12		12
	Attempt to Rape			4		4
	Total			**35**		**35**
Grand Total		**1**	**1**	**77**	**3**	**80**

Rape, Sexual Abuse

A complaint was filed against a 17-year-old boy at the District Police Office on June 23, 2021 accusing him of raping a 15-year-old girl. The health checkup of the victim was conducted at Narayani Hospital in Birgunj on July 4. Police registered a case against the accused in the District Court of Parsa on July 19. The court refering to Article 35 (5) of the Children's Act 2018 adjudicated to keep juvenile in the Child Rehabilitation Centre for one year and was charged with a compensation of NPR 50,000. He was also asked to deposit NPR 1,200 to the Victims Relief Fund.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 576 women filed complaints of domestic violence at the Women, Children, and Senior Citizens' Service Centre among which 215 were victims of beating and home eviction, 105 cases of deprivation of food and clothes, 241 victims of beating under the influence of alcohol, 241 victims of torture, three were deprived of birth certificates, 12 were deprived of marriage registration, and citizenship. Among the complaints lodged, 307 cases were reconciled amd 268 were under legal process. One victim was out of contact.

INSEC documented one victim of domestic violence, twelve of rape, four of attempt to rape, ten of trafficking, two of witchcraft allegations and six of polygamy. Five accused of rape were sent to judicial custody and one was released on bail of NPR 100,000. One was in custody for investigation and five were not arrested till the end of 2021. Two accused of attempt to rape were sent to judicial custody and one was released on general date. Two were not arrested till the end of 2021.

Rape, Attempt to Rape and Sexual Abuse

A complaint was filed against Nehal Miya, 36, of Palanwa Gram Panchayat, Laukaria-5, Champaran, Bihar residing at Birgunj Metropolitan City-2 on the District Police Office on January 24, 2021 alleging that he had raped an 11-year-old girl on January 22. The health checkup of the victim was conducted at Narayani Hospital on January 23. The accused was arrested by the police on the basis of a verbal complaint on January 23. Police registered a case against the accused in the court on February 15. He was found partially guilty on August 6 and was sentenced to jail for nine years. He was charged compensation of NPR 25,000 and was asked to deposit NPR 1,800 in the victim relief fund.

Killed by Family Members

Rahana Khatun, 33, of Birgunj Metropolitan City-16, was killed by her husband Newaji Sah, 37, on February 23, 2021. According to the police report, Shah hit his wife's face with a stone after stuffing a shawl inside her mouth. The accused was not arrested till the end of this year. Police registered a case against the accused based on the report on February 23.

Killed due to dowry

A complaint was filed against Sahajim Miya Ansari, 24, Mamina Khatun, 45, and Nurjah Khatun, 32, at the District Police Office on April 25, 2021, alleging that they had killed Rabina Khatun, 20, of Birgunj Metropolitan City-17 on April 16 for not getting sufficient dowry. The complaint was filed by Kalamuddin Ansari, the father of the deceased. The postmortem of the body was conducted at Narayani Hospital in Birgunj on April 17. The accused were arrested by the police on June 20. Police registered a case against the accused in the district court on June 24. The accused Sahajim Ansari and Mamina Khatun were remanded to judicial custody and the court ordered the release of another accused Nurjah Khatun on a general date. The case was not adjudicated till the end of 2021.

HEALTH SERVICES

The district has one sub-regional level hospital, one district hospital, 92 health posts, three primary health centres, four municipal health centres, 25 basic health centres, and 21 birthing centres. Apart from Narayani Hospital, the District Hospital of Pokhariya has three primary health centres. There were vacant positions for four doctors, four staff nurses and 23 paramedics in the hospital.

Number of Incident with Status of Legal Proceeding in 2021				
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Child Marriage			4	4
Rape	2	11	15	28
Sexual Abuse		3	3	6
Total	**2**	**14**	**22**	**38**
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Attempt to Trafficking			4	4
Domestic Violence		1		1
Witchcraft Allegation		2		2
Polygamy	1	4	1	6
Rape		6	6	12
Attempt to Rape		2	2	4
Total	**1**	**15**	**13**	**29**

Number of Incidents			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Killing	2	3	5

Bagmati Province

- Area: 20,300 sq.km.
- Population: 60,84,042
- Literacy Rate: 68.46
- 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

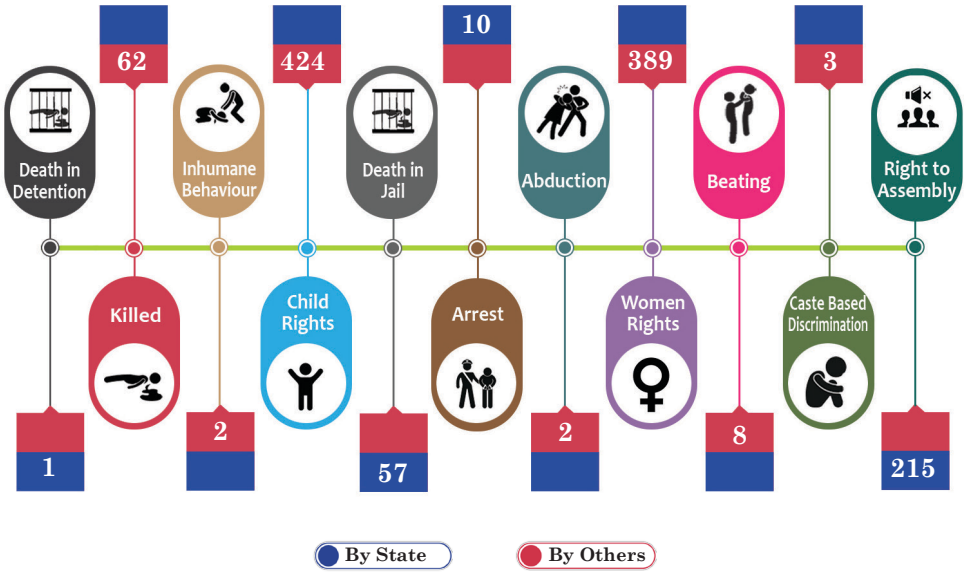
Introduction: Bagmati Province

The legislature of Bagmati Province promulgated 61 laws till the end of 2021. There was a program "Provincial Government for the Victims of Armed Conflict" for treatment, skill enhancement, and employment for the families of martyrs and enforced disappeared persons. The program had targeted the families of injured persons during the 10 years long armed conflict and people's movements of 2006 along with the persons with disabilities as well. In order to protect the lives of the citizens by timely identification and prevention of non-communicable diseases, integrated health care program including 'Public Health Examination' program has been implemented by the government. There are at least two staff nurses in every local level of the province under school nurse program. The provincial government has also implemented the special program targeting the elimination of child marriage and street people. Scholarships are allocated to the female students for their higher education too.

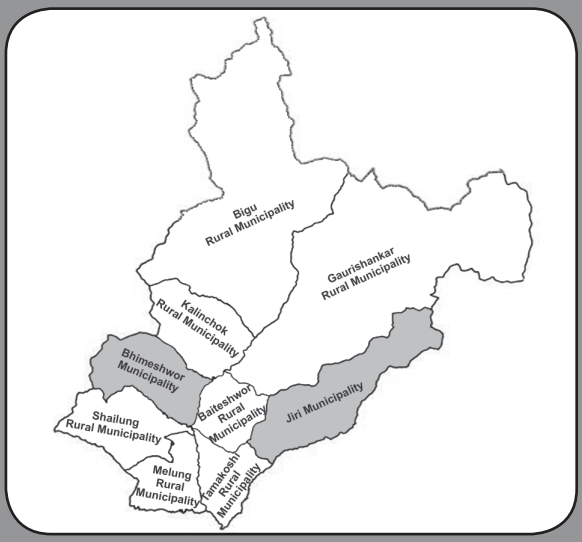
This year, 455,994 persons were diagnosed with COVID-19. For COVID-19 infection control, prevention, and treatment, institutional isolation beds 3,485, general isolation 1,347 and HDCU 1,132 beds and 363 ventilators were managed. Five hospitals came into operation and 45 were under construction among 50, whose foundation was laid on November 30, 2020 under the "One Local Government One Hospital Program" of the federal government.

There were 283 victims (34 female and 249 male) of Human Rights violations and 890 victims (842 female and 48 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; 10 were arrested, 57 died in jail, 215 were deprived from right to assembly and one died in detention. Similarly, 424 were victims of Child Rights Violation, 389 were victims of Women Rights Violation, eight were victim of beating, two were victims of abduction, three of caste based discrimination, and 62 were victims of killing among the documented victims of abuses.

No. of Victims by Incident (In 2021)



3.1 Dolakha



Total Population	1,72,726
Women	88,614
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	48,064
No. of Migrant Workers	10,121
Population of Disability	5,587
Literacy above 5 yrs (%)	95.41
Dependent Population	86,772

There was one male victim of Human Rights violation who died in jail and 25 victims of (22 female and three male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuse; 14 were victims of Child Rights Violation and seven were victims of Women Rights Violation, three were victims of beating and one was victim of killing.

BEATING

By Others

A complaint was filed against Gopal Timalsina, 23, Roshan Pokhrel, 25, Bijule Nepali, 21 and an unknown person of Tamakoshi Rural Municipality-4, at District Police Office on June 27, 2021, alleging that they had beaten Dr. Robis Karki, 28 and Office Assistant Top Bahadur Mijar, working at the COVID hospital, Tamakoshi Rural Municipality-4, Malu on June 26. Three accused were arrested on the same day while the whereabouts of one accused was unknown. According to the victim's statement, the accused beat them after the victims asked them not to enter COVID-19 hospital and informed them that their treatment will be done separately if they have health issues. The accused were kept in police custody for two days and a case was registered on the charge of Act against Public Offence. They were released following the commitment of not repeating such actions ever again.

JAIL AND DETENTION

The District Jail had the capacity of holding 51 inmates but there were 144 male inmates. Female inmates were sent to Ramechhap or other jails. One Assistant Health Worker was posted in the jail for regular checkups of the inmates. As per the need, inmates are taken to local hospitals and out of districts for further treatment. There was one male inmate above the age of 60 years. The inmates

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Beating					3	3
Death in Jail		1	1			
Killing				1		1
Child Rights	Rape			4		4
	Sexual Abuse			10		10
	Total			**14**		**14**
Women Rights	Rape			6		6
	Attempt to Rape			1		1
	Total			**7**		**7**
Grand Total		**1**	**1**	**22**	**3**	**25**

had access to skill-oriented training, toilets, radio, television, badminton, board games, newspaper and a library. There was a shortage of drinking water in the jail.

Death in Jail

Himal Thami, 28, of Kalinchwok Rural Municipality-6 committed suicide by hanging himself in the toilet of the jail on April 16, 2021. He was in judicial custody after killing his wife on February 20. Inmates in the line to use the toilet informed the jail administration after Thami, who entered the toilet at 10:45 AM didn't come out for a long time. Post-mortem of the body was conducted at Charikot Hospital on April 16.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 39 criminal cases out of 189 and 111 civil cases out of 285 that were registered in 2021. There were 11 cases (six criminal and five civil) that had not been decided for over two years. Out of 299 cases carried over from 2019 and 175 cases carried over from 2020, a total of 150 cases had been decided. Court had hired 12 employees on contract and nine positions were vacant.

CHILD RIGHTS

Educational Status

The district has 244 elementary schools and 83 secondary schools. There were positions for 1,843 teachers in the district. This year, 22,397 girls and 21,771 boys were enrolled in the schools. Among them, 1,233 girls and 1,200 boys were with disability. Sixteen children from conflict-affected families received scholarships.

INSEC documented four victims of rape and 10 of sexual abuse. Ten accused of sexual abuse and three accused of rape were sent to judicial custody. One accused of rape was in custody for investigation till the end of 2021.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 31 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which two complaints were sent to the court, 25 were reconciled and four victims were out of contact.

INSEC documented six victims of rape and one of an attempt to rape. One accused of rape was sentenced to jail, four accused were sent to judicial custody and one case was under investigation till the end of 2021. An accused of attempt to rape was sent to judicial custody.

Killed by Family Member

Himal Thami, 28, killed his wife Sunita Thami, 22, of Kalinchwok Rural Municipality-6 by attacking her with a *Khukuri* while she was asleep on February 20, 2021. The attack had wounded different parts of her body. The accused was arrested from Kalinchwok Rural Municipality-7, Sisagolai on the same day. The accused committed suicide by hanging himself in the toilet of the jail on April 16.

HEALTH SERVICES

The district has two government hospitals, three community hospitals, 52 health posts, two primary health centres and six municipal health centres. The were vacant positions for two specialist doctors and two staff nurses.

This year 3,732 people were diagnosed with COVID-19. There were 78,474 people fully vaccinated against COVID-19 in the district. COVID hospital was in operation in Tamakoshi, Bigu, Gaurishankar and Kalinchwok Rural Municipality.

A 26-bedded hospital in Sailung Rural Municipality whose foundation was laid on November 30, 2020, had come into operation. The construction work of hospitals in Jiri Municipality and Kalinchwok Rural Municipality had not started because of unavailability of land. Hospitals in Gaurishankar Rural Municipality, Tama Koshi Rural Municipality, Baityashwor Rural Municipality, Melung Rural Municipality and Bhimeshwor Municipality were under construction. Construction work had not started in Bigu Rural Municipality and DPR had started in Melung Rural Municipality.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Rape	1	3	4
Sexual Abuse		10	10
Total	**1**	**13**	**14**

WOMEN RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Rape	1	1	4	6
Attempt to Rape			1	1
Total	**1**	**1**	**5**	**7**

Number of Incident

Type of Events	Legal Proceeding	Total
Killing	1	1

3.2 Sindhupalchowk

Total Population	2,62,852
Women	1,33,457
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	72,613
No. of Migrant Workers	19,712
Population of Disability	6,608
Literacy above 5 yrs (%)	98.85
Dependent Population	1,22,789

There was one male victim of Human Rights violation who died in custody and 47 victims (44 female and three male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 23 were victims of Child Rights Violation, 19 were victims of Women Rights Violation and five were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 60 inmates but there were 146 male inmates. The jail lacked enough living space and toilets. Inmates were taken to the Chautara Hospital for treatment. One position of Assistant Health Worker was vacant. The jail had six inmates with mentally ill. There were two inmates above the age of 60 and 12 with chronic illnesses.

Death in Detention

Khadak Bahadur Tamang, 32, of Barhabishe Municipality-7, Ghumthang who was in the police custody, died on August 6, 2021, in the course of treatment at Dhulikhel Hospital. The victim's families have alleged that the police tortured Tamang to death. According to the police, Tamang was behaving differently and his appetite had also reduced drastically after which he was taken to Barhabise Primary Health Centre. Tamang was arrested on the charge of theft on August 2. According to the primary health centre, Tamang had bruises and wounds on his body when he was brought for treatment. Tamang was transferred to Dhulikhel hospital for further treatment where he was declared dead on August 6. The postmortem was conducted at Teaching Hospital, Maharajgunj on August 10 due to the protest from his family. Viscera test was conducted at the National forensic science laboratory on August 11. After the incident, the victim's side held a protest at Barhabishe Bazar on August 8. Following the protest,

an investigation committee was formed by District Administrative Office on August 11. NHRC and INSEC conducted an onsite study of the incident. Negligence of the police was pointed out to be the reason behind Tamang's death by the study report while NHRC was yet to reach the conclusion. The report from the committee wasn't released till the end of 2021.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 51 criminal cases out of 308 and 124 civil cases among 394 that were registered in 2021. There were 363 cases (153 criminal and 210 civil) that had not been decided for over one year.

CHILD RIGHTS

Educational Status

The district has 342 elementary schools and 137 secondary schools. There were positions for 2,575 teachers in the district. There were 35,745 girls and 34,489 boys enrolled in the schools this year. Eleven children from conflict-affected families and 43 children of migrant workers families received scholarships. This year, 3,430 girls and 3,190 boys from Dalit community were enrolled in the schools.

INSEC documented 14 victims of rape and nine of sexual abuse. Thirteen accused of rape and nine accused of sexual abuse were sent to judicial custody. One accused of rape was in custody for investigation.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 70 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which 65 complaints were reconciled, two were under discussion, two victims were contactless and one was under prosecution.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Death in Detention		1	1			
Killing				2	3	5
Child Rights	Rape			14		14
	Sexual Abuse			9		9
	Total			**23**		**23**
Women Rights	Polygamy			2		2
	Rape			10		10
	Attempt to Rape			1		1
	Sexual Abuse			6		6
	Total			**19**		**19**
Grand Total		**1**	**1**	**44**	**3**	**47**

INSEC documented 10 victims of rape, one of attempt to rape, six of sexual abuse and two of polygamy. Eight accused of rape and six accused of sexual abuse were sent to judicial custody. Two accused of rape and two of polygamy were under investigation till the end of 2021.

Killed by Family Member

A complaint was filed against Durga Bahadur, 42, at the Area Police Office on June 4, 2021, alleging that he had killed his wife, Ram Maya Tamang, 40, of Melamchi Municipality-11, Dhusinechaur by attacking her with an iron rod on June 3. The post-mortem of the body was conducted at Primary Health Centre, Melamchi on June 3. The accused was arrested from the crime scene on the same day. The accused had beaten and evicted the victim from home two days ago. To save herself from her husband, the victim was living in a shed near her home. Police registered a case against the accused at District Court on June 25. The accused was sent to judicial custody on June 28. The case wasn't decided till the end of 2021.

HEALTH SERVICES

The district has two government hospitals, three primary health centres and 74 health posts. The were vacant positions for six specialist doctors and two nurses. There were 1,071 people with health insurance.

This year 4,789 people were diagnosed with COVID-19 and among them, 33 died. There were 83,591 fully vaccinated people in the district. Construction work of the hospitals in four local level whose foundation was laid on November 30, 2021, was yet to be commenced because of budget constraints.

Number of Incident with Status of Legal Proceeding in 2021			
CHILD RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Rape	1	13	14
Sexual Abuse		9	9
Total	**1**	**22**	**23**
WOMEN RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Polygamy	2		2
Rape	2	8	10
Attempt to Rape		1	1
Sexual Abuse		6	6
Total	**4**	**15**	**19**
Number of Incidents			
Type of Events	**Legal Proceeding**		**Total**
Killing	5		6

3.3 Rasuwa

Total Population	45,554
Women	22,695
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	13,324
No. of Migrant Workers	3,108
Population of Disability	1,016
Literacy above 5 yrs (%)	59.9
Dependent Population	18,758

There were nine female victims of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; four were victims of Child Rights Violation, four were victims of Women Rights Violation and one was victim of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but there were 100 inmates, including one female. There were four male inmates above 60 years of age. There was a lack of enough living space in the jail. The inmates had opportunities for income generation activities. There was occasion health checkup of the inmates. There were two inmates with chronic illness and three with mental illness.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated nine criminal cases out of 12 and eight civil cases among 11 that were registered in 2021. There were seven cases that had not been decided for over one year.

CHILD RIGHTS

Educational Status

The district has 72 elementary schools and 19 secondary schools. There were positions for 547 teachers in the district. There were 12,323 students studying in the district. There were five disability-friendly schools in the district. One child from a conflict-affected family received scholarship.

INSEC documented three victims of rape and one of sexual abuse. One accused of rape was sentenced to jail and another was sent to judicial custody. The accused of sexual abuse was sent to judicial custody.

Type of Events		By Others	
		Female	Total
Killing		1	1
Child Rights	Rape	3	3
	Sexual Abuse	1	1
	Total	**4**	**4**
Women Rights	Domestic Violence	4	4
	Total	**4**	**4**
Grand Total		**9**	**9**

Rape, Sexual Abuse

A complaint was filed against Yam Prasad Bhattarai, 22, of Kispang Rural Municipality-6 on January 9 alleging that he had raped a six-year-old girl on the same day. The health checkup of the victim was conducted at Dhunche Hospital on January 9. He was arrested on January 9. Police registered a case against the accused in court on January 10. He was proven guilty on January 13 and was sentenced for lifetime.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, seven women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre and all the complaints were reconciled.

INSEC documented four victims of domestic violence. Three cases were reconciled and an accused was sent to judicial custody.

Killed by Family Member

Buddhi Bahadur Glan Tamang of Bhorle in Naukunda Rural Municipality-5 was arrested by the District Police Office on October 17, 2021 alleging that he had killed his wife Batuli Tamang, 71, by beating her on October 16. Batuli was beaten by the accused and pushed to the courtyard. The post-mortem of the body was conducted at Trishuli Hospital, Nuwakot on October 16. The accused was remanded to judicial custody on October 24. The case was not decided till the end of 2021.

HEALTH SERVICES

The district has one government hospital, 17 health posts and one community hospital. There were vacant positions for 22 assistant health workers and 13 staff nurses. Four doctors were hired on contract.

Number of Incident with Status of Legal Proceeding in 2021			
CHILD RIGHTS			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Rape	1	1	2
Sexual Abuse		1	1
Total	**1**	**2**	**3**
CHILD RIGHTS			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Domestic Violence	3	1	4
Total	**3**	**1**	**4**
Number of Incident			
Type of Event	**Legal Proceeding**		**Total**
Killing	1		1

3.4 Dhading

Total Population	3,22,751
Women	1,65,544
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	62,621
No. of Migrant Workers	22,537
Population of Disability	7,827
Literacy above 5 yrs (%)	98
Dependent Population	1,48,771

There were three male victims of Human Rights violation who were deprived of their right to assembly, expression and association and 26 victims (23 female and three male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; eight were victims of Child Rights Violation, 13 were victims of Women Rights Violation, and four were victims of killing.

JAIL AND DETENTION

The District Jail has the capacity of holding 200 inmates but there were 333 inmates, including 31 females. There was one dependent child in the jail. The inmates had access to drinking water, toilets, means of communication and leisure activities and the jail also had a library. One Seniors Assistant Health Worker was posted at the jail for the regular health checkup of the inmates.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with two judges had adjudicated 172 criminal cases out of 666 and 40 civil cases among 320 that were registered in 2021. There were 116 cases that had not been decided for two years.

CHILD RIGHTS

Educational Status

The district has 446 elementary schools and 150 secondary schools. There were positions for 3,173 teachers in the district out of which 101 were vacant. There were 38,253 girls and 37,060 boys enrolled this year among which were 204 girls and 222 boys with disability. There are five disability-friendly schools in the district. There were 6,373 girls and 6,007 boys from Dalit families enrolled in schools this year. Sixty children of migrant workers had received scholarships.

INSEC documented three victims of rape, three of sexual abuse, one of child

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Beating					1	1
Killing				3	1	4
Right to Assembly		3	3			
Child Rights	Child Marriage			1		1
	Corporal Punishment				1	1
	Rape			3		3
	Sexual Abuse			3		3
	Total			**7**	**1**	**8**
Women Rights	Domestic Violence			4		4
	Witchcraft Allegation			2		2
	Polygamy			2		2
	Rape			3		3
	Attempt to Rape			2		2
	Total			**13**		**13**
Grand Total		**3**	**3**	**23**	**3**	**26**

marriage and one of corporal punishment. All three accused of rape were sent to judicial custody. Two accused of sexual abuse were sentenced to jail and two were sent to judicial custody.

Rape, Sexual Abuses

A complaint was filed against Shumsher Ansari, 25, of Sital Bazaar in Benighat Rorang Rural Municipality-3 at District Police Office on August 20 alleging that he had sexually abused a 10-year-old girl. The accused was arrested by the police on the same day. The health checkup of the victim was conducted at Dhading Hospital on August 20. He was remanded to custody September 27. The accused was proven guilty on December 29 and was sentenced to jail one year and was charged fine of NPR 10,000. He was also asked to deposit NPR 400 in the victim relief fund.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 110 women filed complaints of domestic violence at the Women, Children and Senior Citizen's Service Centre among which were 52 were victims of beating and home eviction, 25 were victims of abuse and threats, 33 were deprived of food and clothes. Among these complaints, 78 complaints were reconciled and other cases were in discussion.

INSEC documented four victims of domestic violence, three of rape, two of attempt to rape, two of witchcraft allegation and two of polygamy. Two accused of rape were sent to judicial custody and one was in custody for investigation. All the accused of attempt to rape were sent to judicial custody. An accused of witchcraft allegation was sentenced to jail whereas another case was reconciled.

Witchcraft Allegation

Police have arrested Muna Pariyar, 38, and her husband Bishnu Pariyar, 42, of Lamjung Rainas Municipality-3 on the accusation of beating a 49-year-old woman of Tanahu and alleging her of witchcraft. They were arrested on December 16, 2021. The family of the victim filed a complaint at the District Police Office on December 16 informing that the victim was beaten with an excuse of exorcism and was tortured using a hot ladle. The victim was going to the house of a relative on November 28 and on her way she had met the group of accused labourers. The labourers told the victim that she was possessed by a witch and had taken her to a 'witch-doctor', where she was burnt using a hot ladle. The victim was severely injured in the incident. She was rescued by her relatives and was taken to Sushma Koirala Memorial Hospital, Kathmandu for treatment. Both the accused have been remanded to judicial on December 26. The case was not decided till the end of 2021.

HEALTH SERVICES

The district has one government hospital, one community hospital and 104 health posts. There were vacant positions for nine specialist doctors, 23 staff nurses, 30 auxiliary nurse-midwives and 74 paramedics. There were 20,894 people with health insurance and 7,285 senior citizens were enrolled in the free health insurance program.

There were116,059 people fully vaccinated against COVID-19. Out of the five local level hospitals whose foundation was laid on November 30, 2020, the construction work of hospital in Netrawati Dabjong Rural Municipality had started.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	No Legal Proceeding	Total
Child Marriage		1		1
Corporal Punishment			1	1
Rape		3		3
Sexual Abuse	2	1		3
Total	**2**	**5**	**1**	**8**

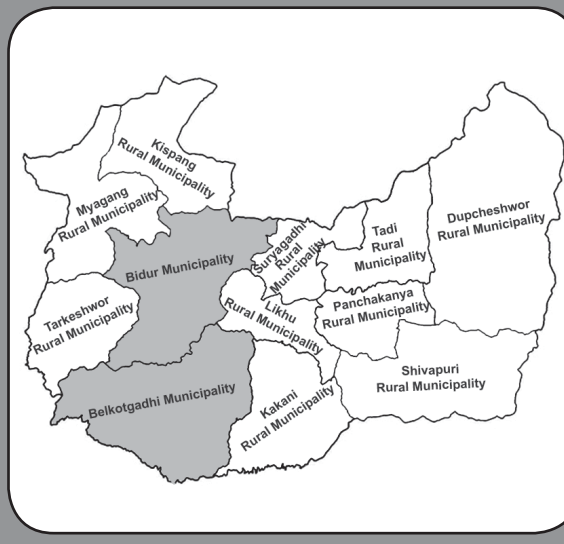
WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	2	1		1	4
Witchcraft Allegation	1			1	2
Polygamy				2	2
Rape			1	2	3
Attempt to Rape				2	2
Total	**3**	**1**	**1**	**8**	**13**

Number of Incidents

Type of Events	Investigation	Legal Proceeding	Total
Killing	1	3	4

3.5 Nuwakot



Total Population	2,62,981
Women	1,34,132
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	55,895
No. of Migrant Workers	14,311
Population of Disability	4,690
Literacy above 5 yrs (%)	98.19
Dependent Population	1,13,582

There were 48 victims (45 female and three male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 17 were victims of Child Rights Violation, 26 were victims of Women Rights Violation and five were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 70 inmates but there were 171 inmates, including 14 female. The jail lacked enough living space and toilets. Twenty-one inmates had to take medicines regularly. Nine of them were taking medicines for mental illness. There were nine inmates above 60 years of age. Jail had provision of skill-oriented training and the inmates were earning money by selling wooden stools. One Senior Assistant Health Worker was posted at the jail for the regular checkup of the inmates.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 13 criminal cases out of 173 and 120 civil cases among 422 that were registered in 2021. There were 138 cases that had not been decided for over one year.

CHILD RIGHTS

Educational Status

The district has 476 Child Development Centre, 325 elementary schools and 116 secondary schools. There were positions for 1,948 teachers in the district. A total of 70,597 children were enrolled in the schools this year. Forty-three children from migrant workers' families and 19 children from conflict-affected families received the scholarship this year.

INSEC documented ten victims of rape and seven of sexual abuse. All of them were sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 86 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre. Among which 21victims were sent to the court, eight victims were contactless and 57 complaints were reconciled.

INSEC documented 13 victims of domestic violence, six of rape, four of attempt to rape and three of polygamy. Six accused of rape and three of attempt to rape were sent to judicial custody. One accused was in custody for investigation.

Type of Events		By Others		
		Female	Male	Total
Killing		2	3	5
Child Rights	Rape	10		10
	Sexual Abuse	7		7
	Total	**17**		**17**
Women Rights	Domestic Violence	13		13
	Polygamy	3		3
	Rape	6		6
	Attempt to Rape	4		4
	Total	**26**		**26**
Grand Total		**45**	**3**	**48**

HEALTH SERVICES

The district has two government hospitals, two primary health centres, 64 health posts, nine municipal health clinics, 19 rural health units, 240 vaccination centres and one community eye centre.

Trisuli hospital has been giving service in 100 beds due to overcrowding of the patients. The same hospital had been converted into COVID hospital. To combat the second wave of COVID, 72 health workers including six doctors were appointed by the hospital. There were vacant positions for six specialist doctors, 66 health assistants, 125 assistant health workers, 133 auxiliary nurse midwives, nine staff nurses, three lab technicians, one medical recorder, two accountant and six medical officers were vacant in the hospital.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Rape	10	10
Sexual Abuse	7	7
Total	**17**	**17**

WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	9		3	1	13
Polygamy			3		3
Rape			6		6
Attempt to Rape		1	3		4
Total	**9**	**1**	**15**	**1**	**26**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	5	5

3.6 Kathmandu

Total Population	20,17,532
Women	9,91,805
No. of Constituency (HoR)	10
No. of Constituency (PA)	20
Below Poverty Level	1,28,973
No. of Migrant Workers	99,805
Population of Disability	17,122
Literacy above 5 yrs (%)	76.4
Dependent Population	6,03,121

There were 270 victims (34 female and 236 male) of Human Rights violation and 280 victims (269 female and 11 male) of abuses. Among the documented victims of human rights violations; five were arrested, 210 were deprived of their right to assembly, expression and association and 55 died in jail. Similarly, 131 were victims of Child Rights Violation, 130 were victims of Women Rights Violation, two were victims of caste-based discrimination, two were abducted, two were victims of beating, two were victims of inhumane behaviour and 11 were victims of killing.

RIGHT TO ASSEMBLY, EXPRESSION AND ASSOCIATION

Twelve people were injured when police attacked human rights activists and civil activists who went to the Prime Minister's residence in Baluwatar from Kamalpokhari in Kathmandu participating in a civil movement to protest against the dissolution of the House of Representatives on January 26, 2021. Nirgaraj Jaisi, Janak Dhungana, Suraj Tamang, Kuldeep Sharma, Sunil Shrestha, Govind Bhandari, Sangharsh Dahal, Kumar Bartaula, CN Tharu, Swarnim Dinesh, Ram Naresh Yadav and Professor Ramesh Bhattarai were amongst the injured. The injured were treated at a local clinic.

Police arrested 18 members of the Civil Society who were protesting in Baluwatar on June 11, 2021. During the protest, Khagendra Sangraula, Narayan Wagle, Yug Pathak, Sanjeev Upreti, Archana Thapa, Sarita Pariyar, Rita Pariyar, Praneta, Bhaskar Gautam, Anubhav Ajit, Yubraj Ghimire, Sangeet, Bhawana Rawat, Nirgha Nabin, Sashi Bikram Karki, Saurabh Karki, Saurabh Neupane, Anjan Babu were arrested. They were arrested while preparing to protest

against the government's plan to give affiliation to a medical college belonging to a person close to the government. They were kept at the Metropolitan Police Circle, Kamalpokhari and were released on the same day.

Ruby Khan, a human rights activist, walked with 13 others (11 women) to the nation's capital for 20 days from Nepalganj to Kathmandu to highlight the demand for a fair investigation into the death and disappearance of two women of Banke district. After reaching the capital for the justice of two victims, Nakunni Dhobi and Nirmala Kurmi, Khan protested at Maitighar Mandala on September 28. Ruby including 13 other activists demanded legal actions against the perpetrators behind the killing of Dhobi and the disappearance of Kurmi. Khan was kept in the custody of Metropolitan Police Circle Lainchaur after arrest on September 28. She was released through habeas corpus on October 14.

The Municipal Police Office of Bhrikutimandap arrested 22 males and five females from the premises of the Supreme Court in accusation of demonstrating in front of the Supreme Court on November 15, 2021. They were protesting against the Supreme Court and Nepal Bar Association accusing them of hampering the judicial activities. The arrested persons were identified as Manoj Kumar Sapkota, 40, Siraha, Tara Baral, 38, Taplejung, Sabitri Subedi, 31, Bara, Menuka Dangal, 40, Sindhupalchowk, Anita Karki, 40, Morang, Sirjana Wagle, 31, Kathmandu, Nischal Rajbhandari, 24, Bara, Satish Neupane, 26, Kathmandu, Kamal Koirala, 50, Lalitpur, Arun Rokka, 31, Ramechhap, Sagar Khadka, 37, Sunsari, Sangeet Adhikari, 19, Dang, Sangji Tamang, 16, Morang, Aayush K.C, 18, Kathmandu, Anjan Mahat, 22, Kathmandu, Anil Thapa, 51, Sunsari, Kiran Subedi, 50, Sunsari, Suman Amatya, 44, Lalitpur, Thakur Silwal, 64, Lalitpur, Sher Bahadur Thapa, 52, Kathmandu, Indra Bahadur Thapa, 33, Kathmandu, Hari Bahadur Tamang, 40, Kavre, Bibesh Shahi, 25, Mugu, Sujan Raj Thapa, 52, Tanahu, Govinda Katwal, 57, Tehrathum, Rajkumar Tamang, 36, Ramechhap, Shyam Budhathoki, 39, Ramechhap. They were released on the same day.

Six advocates protesting outside the Supreme Court at Putalisadak demanding the resignation of Chief Justice Cholendra Shumsher JBR were charged with batons by the police on November 11, 2021. Lilamani Poudel, Rakshya Bashyal, Kumar Sharma Acharya, Mukunda Bhattarai, Prakash Maharjan, Raman Karna

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Abduction					1	1	2
Arrest			5	5			
Beating						2	2
Death in Jail			55	55			
Inhumane Behaviour					1	1	2
Killing					6	5	11
Caste Based Discrimination					2		2
Right to Assembly		34	176	210			
Child Rights	Child Marriage				2		2
	Child Trafficking				1	2	3
	Rape				107		107
	Sexual Abuse				19		19
	Total				**129**	**2**	**131**
Women Rights	Domestic Violence				1		1
	Witchcraft Allegation				1		1
	Polygamy				42		42
	Rape				69		69
	Attempt to Rape				1		1
	Sexual Abuse				15		15
	Women Trafficking				1		1
	Total				**130**		**130**
Grand Total		**34**	**236**	**270**	**269**	**11**	**280**

were injured in the incident. They were given first aid at Annapurna Neuro Hospital Maitighar.

Police arrested eight ANNFSU cadres from the Tribhuvan University campus on December 8, 2021, for protesting against the decision of the Tribhuvan University to make the contract teachers permanent through the internal process. Manisha Karki, Sameer Gautam, Som Bam, Anil KC, Bipin BK, Ram Naresh Yadav, Prabin Dahal and Tej Prasad Pokhrel were arrested and released on the same day.

Police charged the baton on protest outside the Parliament building at Baneshwor on December 14, 2021 warning not to pass Agreement on the US Cooperation Project Millennium Challenge Corporation (MCC) through Parliament by Eight parties and CPN led by Netra Bikram Chand (Biplav). Due to the baton charge of the police, Dabal Bahadur Shah, Madan KC, Govind Bista, Lokesh Joshi, DB Chand, Dayaram Luhar, Prajit BK, and Hari Shrestha were injured. They were treated at the Civil Hospital, Minbhawan.

JAIL AND DETENTION

There are two jails in the district including Jagannath Deval and Dilli Bazaar. Within the Jagannath Deval Jail, three clusters have been set up which include Central Jail, Bhadrabandi Jail, and Women's Jail. The capacity of the jails in all the three clusters of Jaganath Deval was 1,450 inmates but there were 3,334 inmates. Of them, 2,965 were males and 369 were females. Similarly, there were 13 dependent children in the jail for whom an organization called Jail Nepal was running a daycare centre. Ninety-five percent of inmates were vaccinated against COVID-19. There is a separate hospital for the inmates with all medical services except surgery. The jail administration had provided various skill-based training to the inmates including training.

Similarly, there are currently 550 inmates in the 200-capacity Dilli Bazaar Jail. All of them have been vaccinated against COVID-19. Out of 509 inmates infected with the COVID-19 at Jagannath Deval Jail this year, six died. Similarly, one of the 59 infected inmates of Dilli Bazaar Jail died due to the COVID-19.

RIGHT TO PROMPT AND FAIR TRAIL

The District Court with 39 positions of judges had 31 judges at present and it had adjudicated 856 criminal cases out of 3,786 and 2,637 civil cases out of 11,966 registered in 2021. There were 1,678 cases that had not been decided for over two years.

CHILD RIGHTS

Educational Status

The district has 1,703 elementary and 950 secondary schools. There were positions for 4,184 teachers among which 988 were vacant. This year, 139,250 girls and 168,330 boys were enrolled in the district. Among them, 2,050 girls and 1,803 boys were with disabilities. There were 10,708 girls and 12,206 boys from Dalit families enrolled in the school.

INSEC documented 107 victims of rape, 19 victims of sexual abuse, two of child marriage and three of trafficking. Seventy-six accused of rape were sentenced to jail, 76 were sent to judicial custody, five minor accused were sent to the child rehabilitation centre and three accused were not arrested till the end of 2021. Similarly, 14 accused of sexual abuse were sent to judicial custody, one accused was sent to the child rehabilitation centre and five were sentenced to jail.

Rape, Sexual Abuses

A complaint was filed against Sandeep Silwal, 29, of Godavari Municipality-2, Lalitpur and temporary resident of Tarkeshwar Municipality-6, Kathmandu alleging that he had sexually abused a 13-year-old girl on January 2, 2021. He

was arrested from Tarkeshwar Municipality on January 4. The health checkup of the victim was conducted at the Maternity Hospital of Thapathali on January 4. Police registered a case against the accused in court on January 6. The accused was found guilty and sentenced to jail for three years. He was also charged a fine of NPR 30,000 on August 14.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 2,662 women filed complaints of domestic violence at the Women, children, and Senior Citizens' Service Centre among which 37 cases were referred to the court, 639 cases were under process and 187 victims were out of contact and 1799 were reconciled.

INSEC documented one victim of domestic violence, 69 of rape, one of attempt to rape, 15 of sexual abuse, one of trafficking, one of witchcraft allegation and 42 of polygamy. Eighteen accused of rape were sentenced to jail, 44 were sent to judicial custody and 10 were not arrested till the end of 2021. One accused of attempt to rape was sent to judicial custody. Four accused of rape were sentenced to jail, nine were sent to judicial custody, one was not arrested till the end of 2021.

Rape, Attempt to Rape and Sexual Abuses

A complaint was filed against Khamba Bahadur Thapa Magar, 30, of Kathmandu Metropolitan City-7 and Dudhraj Ghising, 25, of Kamalamai Municipality-5, Sindhuli at Metropolitan Police Circle, Gaushala on January 7, 2021, alleging that they had raped a 29-year-old woman on January 6. The accused were arrested by the police from Manmaiju on January 7. The health checkup of the victim was conducted at the Maternity Hospital, Thapathali on January 7. Police registered a case against the accused in court on January 7. They were proven guilty on September 17 and were sentenced to jail for eight years. They were also charged fine of NPR 30,000.

Killed by Family Members

A complaint was filed against Yagya Kumar Sapkota, 35, of Kathmandu Metropolitan City-14 on March 17 alleging that he had killed his wife Santoshi Shrestha, 32, with a domestic weapon during a domestic dispute on March 15. The post-mortem of the victim was conducted at the Tribhuvan University Teaching Hospital, Maharajgunj on March 16. Police registered a case against the accused in court on March 19. The accused was found guilty and sentenced to jail for 20 years on October 21.

Witchcraft Allegation

A complaint was filed against Jitendra Maharjan, 36, of Mahalaxmi Municipality-8, Lalitpur, Dipendra Kumar Thing, 36, of Makwanpur, Dashnarayan Maharjan, 31, of Nagarjuna Municipality-5 and Janardhan Pandey of Nagarjuna Municipality-5 at the Metropolitan Police Range on September 8, 2021 alleging that they had beaten and stuffed faeces to a 33-year-old woman accusing her of witchcraft on September 3 and 4. The accused Jitendra is the husband of the victim. Police registered a case against the accused in court on September 8. The accused were found guilty on December 7. The accused were sentenced to jail for five years and were fined NPR 50,000 each.

ALL KINDS OF CASTE-BASED DISCRIMINATION

Police had arrested Saraswati Pradhan, 58, of Babarmahal in Kathmandu Metropolitan City-11 on June 17, 2021, alleging that she had discriminated Rupa Sunar, 24 of Damauli Municipality-6 based on her caste on June 15 and not kept her as a tenant. Police registered a case against the accused on June 17. The accused was released on bail of NPR 115,000 on September 22.

HEALTH SERVICES

There district has 1,098 health institutions including 120 government health institutions and 978 private health institutions. Similarly, there are 58 health posts, 206 vaccination centres, and 53 urban health clinics in the district. Currently, there were 1,705 health volunteers in the district. This year 2,251 people died in Kathmandu due to COVID-19.

Number of Incident with Status of Legal Proceeding in 2021				
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Child Marriage	2			2
Child Trafficking			2	2
Rape	26	3	77	106
Sexual Abuse	5	1	13	19
Total	**33**	**4**	**92**	**129**
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence	1			1
Witchcraft Allegation	1			1
Polygamy	11	2	29	42
Rape	18	9	42	69
Attempt to Rape			1	1
Sexual Abuse	4	2	9	15
Women Trafficking			1	1
Total	**35**	**13**	**82**	**130**

Number of Incidents			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Killing	3	8	11

3.7 Bhaktapur

Total Population	4,30,408
Women	2,12,466
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	36,999
No. of Migrant Workers	10,215
Population of Disability	3,204
Literacy above 5 yrs (%)	96.5
Dependent Population	1,04,688

There were 72 victims (68 female and four male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 37 were victims of Child Rights Violation, 29 were victims of Women Rights Violation, and six were victims of killing.

CHILD REHABILITATION CENTRE, SANOTHIMI

The Child Rehabilitation Centre had the capacity of holding 110 juveniles (10 girls and 100 boys) but there were 246 children, including 32 girls and 214. The rehabilitation centre had a good education facility. It even had a library for the children who had appeared in the SEE examination. A building was constructed to operate the classes till grade 12. They had provision of efficient health check-up for the juveniles.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with six judges had adjudicated 411 criminal cases out of 1,317 and 1,188 civil cases among 2,756 that were registered in 2021. There were 1,024 cases (376 criminal and 648 civil) that had not been decided for over one year. A total of 1,599 cases were adjudicated among 3,909 cases carried over from 2020.

CHILD RIGHTS

Educational Status

The district has 77 elementary schools, 45 secondary schools, one women school, two disability-friendly schools, and one school of the child rehabilitation centre. There were positions for 1,339 teachers in the district. There were 14,787 girls and 16,593 boys enrolled in the schools this year. This year 4,519 children with disabilities, 6,367 children from Dalit and indigenous families, 114 from martyrs' and conflict-affected families received scholarships.

Type of Events		By Others		
		Female	Male	Total
Killing		3	3	6
Child Rights	Rape	28		28
	Sexual Abuse	8	1	9
	Total	**36**	**1**	**37**
Women Rights	Polygamy	9		9
	Rape	15		15
	Attempt to Rape	3		3
	Women Trafficking	2		2
	Total	**29**		**29**
Grand Total		**68**	**4**	**72**

INSEC documented 28 victims of rape and nine victims of sexual abuse. Twenty accused of rape were sent to judicial custody and eight accused were in custody for investigation till the end of 2021. Nine accused of sexual abuse were sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 12 women filed complaints of domestic violence at the Women, Children, and Senior Citizens' Service Centre among which 10 were reconciled and two were in legal process.

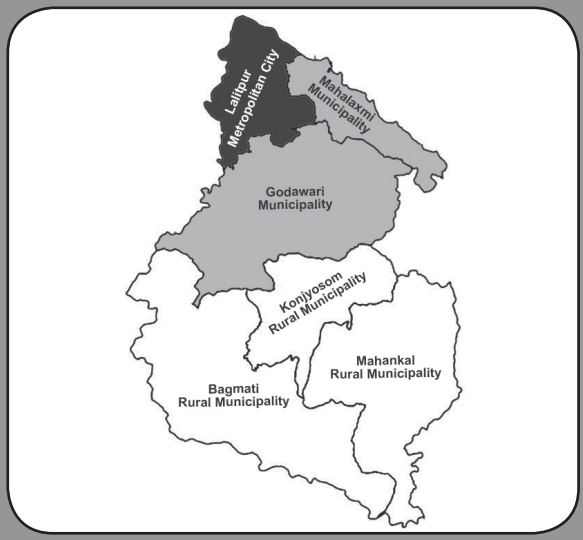
INSEC documented 15 victims of rape, three of attempt to rape, two of trafficking and nine of polygamy. All the accused of rape were sent to judicial custody. Two accused of trafficking and two of attempt to rape were sent to judicial custody. One accused of attempt to rape was in custody for investigation. Two cases of polygamy were under investigation and seven accused were sent to judicial custody.

HEALTH SERVICES

The district has four government hospitals among which two were organizational hospitals, 20 health posts, 11 Urban health centres, two municipal health centres and nine private hospitals. There were vacant positions for 47 Medical Superintendents and 48 health workers. There were 58,152 people with health insurance. After the surge of COVID-19, Bhaktapur Hospital operated a 16-bedded ICU with Ventilator for the first time.

Number of Incident with Status of Legal Proceeding in 2021			
CHILD RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Rape	8	20	28
Sexual Abuse		9	9
Total	**8**	**29**	**37**
WOMEN RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Polygamy	2	7	9
Rape		15	15
Attempt to Rape	1	2	3
Women Trafficking		2	2
Total	**3**	**26**	**29**
Number of Incidents			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Killing	1	5	6

3.8 Lalitpur



Total Population	5,48,401
Women	2,72,864
No. of Constituency (HoR)	3
No. of Constituency (PA)	6
Below Poverty Level	34,554
No. of Migrant Workers	24,386
Population of Disability	4,934
Literacy above 5 yrs (%)	98.4
Dependent Population	1,62,447

There were five male victims of Human Rights violation and 73 victims (70 female and three male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; three were arrested and two were deprived of their right to assembly, expression, and association. Similarly, 42 were the victims of Child Rights Violation, 26 were the victims of Women Rights Violation, one was victim of beating, and four were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 500 inmates but there were 1,353 male inmates. There were 119 foreign inmates as well in the jail. Two health workers were posted in the jail for the regular check-up of the inmates and the jail also had a psychosocial counselling centre. A total of 185 inmates were taking medications for mental illness. There were 31 inmates above the age of 60 years. There were 251 inmates with chronic illness, six with HIV, nine with tuberculosis, and 246 with eye problems.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with seven judges had adjudicated 183 criminal cases out of 387, and 674 civil cases among 1,724 that were registered in 2021. There were 631 cases (79 criminal and 553 civil) that had not been decided for over one year.

High Court

The court had positions for 36 judges out of which three positions were vacant. This year, 9,503 cases were transferred and 838 cases were filed. The court had adjudicated 8,185 cases.

CHILD RIGHTS

Educational Status

The district has 112 elementary and 75 secondary schools. There were positions for 5,861 teachers in the

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		3	3			
Beating					1	1
Killing				2	2	4
Right to Assembly		2	2			
Child Rights	Rape			29		29
	Sexual Abuse			13		13
	Total			**42**		**42**
Women Rights	Domestic Violence			1		1
	Polygamy			16		16
	Rape			7		7
	Sexual Abuse			2		2
	Total			**26**		**26**
Grand Total		**5**	**5**	**70**	**3**	**73**

district among which 63 were vacant. There were 60,141 girls and 67,504 boys enrolled in the schools this year. There were two disability-friendly schools in the district. Twenty-eight children from conflict-affected families and 12 children from migrant workers' families received the scholarship this year. This year 3,188 girls and 3,200 boys from Dalit families were enrolled in the schools.

INSEC documented 29 victims of rape and 13 victims of sexual abuse. Three accused of rape were sentenced to jail. Twenty-five accused of rape were sent to judicial custody and one was in custody for investigation. Two cases of sexual abuse were under investigation while 11 accused were sent to judicial custody.

Rape, Sexual Abuses

A complaint was filed against Tirthaman Syantan, 27, of Godawari Municipality-3 at the Metropolitan Police Circle, Satdobato on February 1, 2021, alleging that he had raped a 14-year-old girl on January 31. The health checkup of the victim was conducted at Patan Hospital on February 1. The accused was arrested by the police on February 1. Police registered a case of rape against the accused on February 24. The accused was sent to judicial custody on February 24. He was found guilty on April 5 and was sentenced to jail for 12 years.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 510 women filed complaints of domestic violence at the Women, Children, and Senior Citizens' Service Centre out of which 502 were reconciled and eight were under legal review.

INSEC documented one victim of domestic violence, seven of rape, two in sexual abuse, and 16 of polygamy. One accused of domestic violence was sent to judicial custody. Six accused of rape were sent to judicial custody and one was in custody for investigation. Two accused of sexual abuse were sent to judicial custody. Two cases of polygamy were under investigation and 14 accused of polygamy were sent to judicial custody.

Attempt to Killing

A complaint was filed against Raju Desar, 28, of Godavari Municipality-13 at the Metropolitan Police Circle, Chapagaun on October 29, 2021, alleging that he had attempted to kill his wife Muna Magar, 27 by setting her on fire on October 28. She was immediately rushed to Medicti Hospital, Nakkhu and was referred to the Nepal Cleft and Burn Centre, Kirtipur on October 30. The victim was burned 40 percent and the accused was arrested on October 28. The accused was sent to judicial custody on November 18. The case was not decided till the end of 2021.

Killed by Family Member

Police arrested Ekraj Bhujel, 35 of Manthali Municipality-12, Ramechhap and temporary resident of Lalitpur Metropolitan- 10, Kupandole on December 6,

2021, alleging that he had killed Januka Bhujel, 35 on December 2. The victim was strangled to death. The post-mortem of the body was conducted on December 3 at Patan Hospital. Police registered a case against the accused in court on December 3. The accused was sent to judicial custody on December 29. The case was not decided till the end of 2021.

HEALTH SERVICES

The district has one Health and Science Academy, 38 health posts, three primary health centres, five elementary health centres, five municipal health centres, one ward health centre, one family planning health clinic, one counselling centre, one tuberculosis centre, two weekly maternal-infant service centre, 11 three-hour daily clinic, one 50-bedded mental assylum and two government hospitals. Even though one COVID hospital was in operation in Konjyosom Rural Municipality, the hospital whose foundation was laid a year ago is yet to be operational. The health insurance scheme was run in the district from October 10 but was anticipated to be implemented only from February 13, 2022.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Rape	3	1	25	29
Sexual Abuse		2	11	13
Total	**3**	**3**	**36**	**42**

WOMEN RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Domestic Violence		1	1
Polygamy	2	14	16
Rape	1	6	7
Sexual Abuse		2	2
Total	**3**	**23**	**26**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	4	4

3.9 Kavre

Total Population	3,66,879
Women	1,85,912
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	52,018
No. of Migrant Workers	14,531
Population of Disability	6,670
Literacy above 5 yrs (%)	69.8
Dependent Population	1,47,285

There were two male victims of Human Rights violation who were arrested and 46 victims of (40 female and six male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 22 were the victims of Child Rights Violation, 15 were victim of Women Rights Violation, and nine were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 75 inmates but there were 236 inmates. One health worker was posted in the jail for the regular treatment of the inmates. There were 19 inmates with mental illness and were under treatment in the jail. There were five inmates above the age of 60 years. There were 18 inmates with chronic illness.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with two judges had adjudicated 361 criminal cases out of 925, and 831 civil cases among 1,831 that were registered in 2021. There were 205 criminal cases and 316 civil cases that had not been decided for over one year. Court had hired 19 employees on contract while four positions were vacant till the end of 2021.

CHILD RIGHTS

Educational Status

The district has 372 elementary schools and 145 secondary schools. There were 159 elementary schools and 92 secondary schools on the organizational part. There were 1,103 girls and 1,087 boys enrolled in the Child development centre this year.

INSEC documented 17 victims of rape, three of sexual abuse and two of child marriage. Accused of all the cases were sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 273 women filed com-

plaints of domestic violence at the Women, Children, and Senior Citizens' Service Centre. Among which 92 cases were reconciled, two were sent to district court, 13 victims were out of contact, and remaining were under review.

INSEC documented 11 victims of rape, two of attempt to rape, one of trafficking and one of polygamy. Eleven accused of rape, one of attempt to rape, one of polygamy and one of trafficking were sent to judicial custody. One accused of attempt to rape was in custody for investigation till the end of 2021.

Killed after Rape

A complaint was filed by Shyame Sarki, 53, at Area Police Office, Banepa on April 7, 2021, alleging that his wife, Masine Sarki, 32, of Banepa Municipality-5, Raviopi was killed following a rape on April 4. The body of the victim was found inside the bus numbered (Ba 2 Kha 2427), parked at the Banepa Buspark. Investigation revealed that the woman was killed after rape. Two minors of age 14, one of 16 and another of 17 were arrested by the police from Banepa on April 4. All the accused were street children. The Postmortem of the body was conducted at Dhulikhel hospital on April 5. Police registered a case against all the accused on April 6. The accused were sent to the child rehabilitation centre on April 12.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		2	2			
Killing				4	5	9
Child Rights	Child Marriage			1	1	2
	Rape			17		17
	Sexual Abuse			3		3
	Total			**21**	**1**	**22**
Women Rights	Polygamy			1		1
	Rape			11		11
	Attempt to Rape			2		2
	Women Trafficking			1		1
	Total			**15**		**15**
Grand Total		**2**	**2**	**40**	**6**	**46**

HEALTH SERVICES

The district has one government hospital, 85 health posts, and municipal health centres.

Construction work of the local levl hospitals, whose foundations were laid on November 30, 2020, in Khanikhola Rural Municipality, Bhumlu Rural Municipality, Mahabharat Rural Municipality and Rosi Rural Municipality has started.

This year 16,015 people were diagnosed with COVID-19 and among them, 192 died.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Child Marriage	1	1
Rape	17	17
Sexual Abuse	3	3
Total	**21**	**21**

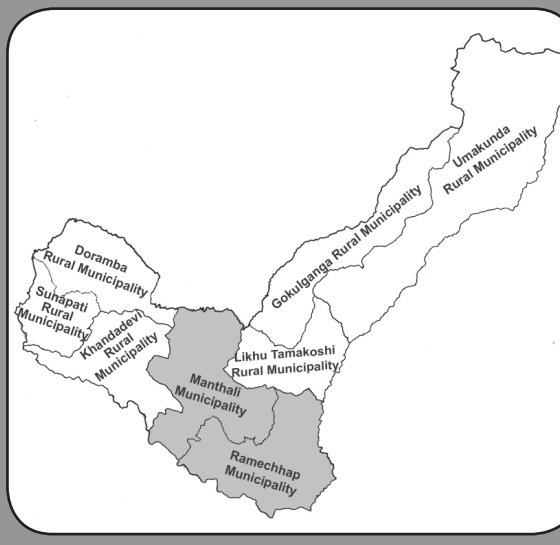
WOMEN RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Polygamy		1	1
Rape		11	11
Attempt to Rape	1	1	2
Women Trafficking		1	1
Total	**1**	**14**	**15**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	8	8

3.10 Ramechhap



Total Population	1,70,620
Women	81,842
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	51,467
No. of Migrant Workers	11,199
Population of Disability	4,418
Literacy above 5 yrs (%)	97
Dependent Population	88,861

There were 30 victims (29 female and one male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of abuses; 16 were victims of Child Rights Violation and 14 were victims of Women Rights Violation.

REARREST

Govinda Bahadur Khadka, 44, Chairperson of Likhu Tamakoshi Rural Municipality was re-arrested by police on January 1, 2021immediately after the release by the court. The court had remanded him to judicial custody in the accusation of rape, hostage-taking and fraud and later was released on bail of NPR 500,000. The police arrested him in the case of money laundering. He was handed over to the money laundering department by the police and was released on the same day after giving a statement on January 3.

JAIL AND DETENTION

The District Jail had the capacity of holding 220 inmates but there were 317 inmates, including nine females. There were seven inmates above 70 years of age.

RIGHT TO FAIR AND PROMPT TRIAL

The District Court with one judge had adjudicated 191 criminal cases and 394 civil cases that were registered in 2021.

CHILD RIGHTS

Educational Status

The district has 286 elementary and 91 secondary schools. There is one religious basic school in the district. This year, 43,773 students were enrolled in the schools. Twenty-seven children from the family of migrant workers received scholarships.

INSEC documented eight victims of rape and eight of sexual abuse. Eight accused of rape and six of sexual abuse were sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 30 women filed complaints of domestic violence at the Women, Children, and Senior Citizens' Service Centre, among them 19 were reconciled, two were sent to court and remaining were under legal review.

INSEC documented one victim of domestic violence, nine of rape, three of the attempt to rape and one of sexual abuse. One case of domestic violence was reconciled while all accused of rape, sexual abuse, and attempt to rape were sent to judicial custody.

Type of Events		By Others		
		Female	Male	Total
Child Rights	Rape	8		8
	Sexual Abuse	7	1	8
	Total	**15**	**1**	**16**
Women Rights	Domestic Violence	1		1
	Rape	9		9
	Attempt to Rape	3		3
	Sexual Abuse	1		1
	Total	**14**		**14**
Grand Total		**29**	**1**	**30**

HEALTH SERVICES

The district has one district hospital, two primary health centres, 50 health posts, one sub-health post, 15 urban health service centres, and 16 health service units. There were 31,792 people with health insurance. Hospitals in Khandadevi Rural Municipality and Umakunda Rural Municipality were under construction. The foundations of these hospitals were laid on November 30, 2020.

Number of Incident with Status of Legal Proceeding in 2021

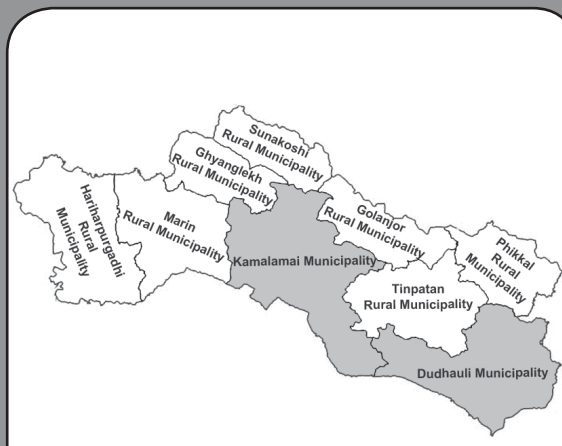
CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Rape	8	8
Sexual Abuse	6	6
Total	**14**	**14**

WOMEN RIGHTS

Type of Events	Compromise	Legal Proceeding	Total
Domestic Violence	1		1
Rape		9	9
Attempt to Rape		3	3
Sexual Abuse		1	1
Total	**1**	**13**	**14**

3.11 Sindhuli



Total Population	3,00,117
Women	1,52,459
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	1,12,302
No. of Migrant Workers	15,287
Population of Disability	6,466
Literacy above 5 yrs (%)	75
Dependent Population	1,41,870

There were 74 victims (70 female and four male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of abuses; 32 were victims of Child Rights Violations, 38 were victims of Women Rights Violations, and four were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 208 inmates but there were 565 inmates, including 20 female. There was a lack of enough living space in the prison. One Senior Assistant Health Worker was posted in the jail for regular health checkup of the inmates. Everyone in the prison has been vaccinated against COVID-19.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 100 criminal cases out of 485 and 176 civil cases out of 507 that were registered in 2021. There were 238 criminal cases and 311 civil cases that had not been decided for over one year.

CHILD RIGHTS

Educational Status

The district has 281 elementary and 120 secondary schools. There were 1,669 positions for teachers. There were three disability-friendly schools in the district. Fifty-nine children of migrant workers families had received scholarships.

INSEC documented 22 victims of rape and 10 of sexual abuse. Eighteen accused of rape were sent to judicial custody and two were in custody for investigation. One accused of sexual abuse was sentenced to jail, eight accused were sent to judicial custody and one was in custody for investigation.

Rape, Sexual Abuse

A complaint was filed against Minraj Ghising, 70, of Kamalamai Municipality-9 on February 28, 2021, alleging that he had sexually abused a nine-year-old girl on February 25. The accused was arrested on February 27. The accused was presented in the court on March 21 and was released on bail of NPR 25,000. The accused was found guilty on December 7. He was sentenced to jail for 20 days and charged a fine of NPR 2,000. He was also charged a compensation of NPR 5,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year 68 women filed complaints of domestic violence at the Women, Children, and Senior Citizen's Service Centre. Out of the complaints 43 were reconciled, four were sent to court, two victims were out of contract, and remaining cases were under legal review.

INSEC documented six victims of domestic violence, 15 of rape, four of attempt to rape, two of witchcraft allegation and 11 of polygamy. Two accused of rape were sentenced to jail, 12 were sent to judicial custody and one accused was released on bail of NPR 50,000. Two accused of witchcraft allegation were released on bail of NPR 60,000 each. Two accused of killing by family members were sent to judicial custody. Meanwhile, one accused of trafficking was not arrested till the end of 2021.

Type of Events		By Others		
		Female	Male	Total
Killing		1	3	4
Child Rights	Rape	22		22
	Sexual Abuse	9	1	10
	Total	**31**	**1**	**32**
Women Rights	Domestic Violence	6		6
	Witchcraft Allegation	2		2
	Polygamy	11		11
	Rape	15		15
	Attempt to Rape	4		4
	Total	**38**		**38**
Grand total		**70**	**4**	**74**

HEALTH SERVICES

The district has one government hospital and two community hospitals. There are 51 health posts, four primary health centres, 32 birthing centres, 195 health clinics, and 205 vaccination centres. There were vacant positions for eight specialist doctors and five staff nurses.

This year 3,265 people were diagnosed with COVID-19. Construction work was ongoing at Marin Rural Municipality, Hariharpurgadhi Rural Municipality and Fikal Rural Municipality. The foundation of these hospitals were laid on November 30, 2020.

Number of Incident with Status of Legal Proceeding in 2021				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Rape		2	20	22
Sexual Abuse	1	1	8	10
Total	**1**	**3**	**28**	**32**

WOMEN RIGHTS			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence		6	6
Witchcraft Allegation		2	2
Polygamy	2	9	11
Rape	2	12	14
Attempt to Rape	1	3	4
Total	**5**	**32**	**37**

Number of Incidents			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Killing	1	3	4

3.12 Makawanpur

Total Population	4,61,053
Women	2,32,581
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	1,15,473
No. of Migrant Workers	16,547
Population of Disability	8,467
Literacy above 5 yrs (%)	98
Dependent Population	1,75,737

There were 75 victims (70 female and five male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 33 were victims of Child Rights Violation, 32 were victims of Women Rights Violation, one was victim of beating and nine were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 1,200 inmates and there were 999 male inmates only. The inmates had access to communication and entertainment. There is the lack of enough water supply for the inmates. There was a library for the inmates. The inmates had been earning their living by weaving bamboo mats and carpets.

Child Rehabilitation Centre

There were 55 juveniles in the child rehabilitation centre. There is the availability of proper security along with reading and playing facilities provided to juveniles.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

The District Court with four judges had adjudicated 182 criminal cases out of 508 and 290 civil cases among 1,081 that were registered in 2021. There were 16 cases (13 criminal and three civil) that had not been decided for over two years.

High Court- Hetauda Bench

The High Court with seven judges had adjudicated 130 cases out of 959 cases (408 cases transferred from last year and 531 cases registered this year). There were eight cases that had not been decided for over one year.

Type of Events		By Others		
		Female	Male	Total
Beatings			1	1
Killing		5	4	9
Child Rights	Child Trafficking	1		1
	Rape	28		28
	Sexual Abuse	4		4
	Total	**33**		**33**
Women Rights	Polygamy	6		6
	Rape	20		20
	Attempt to Rape	5		5
	Sexual Abuse	1		1
	Total	**32**		**32**
Grand Total		**70**	**5**	**75**

CHILD RIGHTS

Educational Status

The district has 516 community schools and 76 organizational schools. There are 375 disability-friendly schools in the district.

INSEC documented 28 victims of rape, four of sexual abuse and one of trafficking. Two accused of rape were sentenced to jail, 25 were sent to judicial custody and one was in custody for investigation. Three accused of sexual abuse were sent to judicial custody while one was in custody for investigation.

Rape, Sexual Abuse

A complaint was filed against a 28-year-old relative at District Police Office on May 30, 2021, alleging that he had raped a 12-year-old girl on May 29. The health checkup of the victim was conducted at Hetauda Hospital on May 30. The accused was arrested by the police on May 31 from his residence. Police registered a case against the accused on June 21. The accused was found guilty on November 2 and was sentenced to jail for six months. He was also charged a fine of NPR 20,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 371 women filed complaints of domestic violence at the Women, Children, and Senior Citizen's Service Centre among which 252 were reconciled, 45 were referred to court, and 74 were under legal review.

INSEC documented 20 victims of rape, five of attempt to rape, one sexual abuse and six of polygamy. In the case of polygamy, there was reconciliation in one case, two were under investigation, and three accused were remanded in judicial custody. Two rape cases were adjudicated, eight cases were under investigation, and the accused in 10 cases had been remanded in judicial custody.

Rape, Attempt to Rape and Sexual Abuse

A complaint was filed against Deepak Bal, 22, of Hetaunda Sub-Metropolitan-2 Chowki tole at the District Police Office on April 29, 2021, alleging that he had raped a 19-year-old girl on the same day. The health checkup of the victim was conducted at Hetauda Hospital on April 29. The accused was arrested on the same day. Police registered a case against the accused at the court on May 16. He was found guilty on November 1 and was sentenced jail for seven years and fined NPR 100,000 as compensation.

Killed by Family Members

Police arrested Ramesh Gurung, 21, Of Hetauda Sub-metropolitan-17 on May 7, 2021 alleging that he had killed his grandmother Setimaya Gurung, 85, using an axe on April 27, 2021. Setimaya was critically injured due to the attack and she died at Hetauda Hospital on April 27 while undergoing treatment. The postmortem of the body was conducted at Hetauda Hospital on May 8. Police registered a case against the accused on May 31. The accused was sent to judicial custody on June 1. The body was handed over

to the family on May 8 after postmortem. The case was not till the end of 2021.

HEALTH SERVICES

The district has one government hospital, two community hospitals, one eye hospital, four private hospitals, 40 health posts, 10 local level health centres and 19 municipal health centres. A list of free medicines provided by the government were kept in the hospital premises along with distribution of free medicine from hospitals and health posts. This year 170 people died due to COVID-19 in the district.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Child Trafficking			1	1
Rape	1	2	25	28
Sexual Abuse		1	2	3
Total	**1**	**3**	**28**	**32**

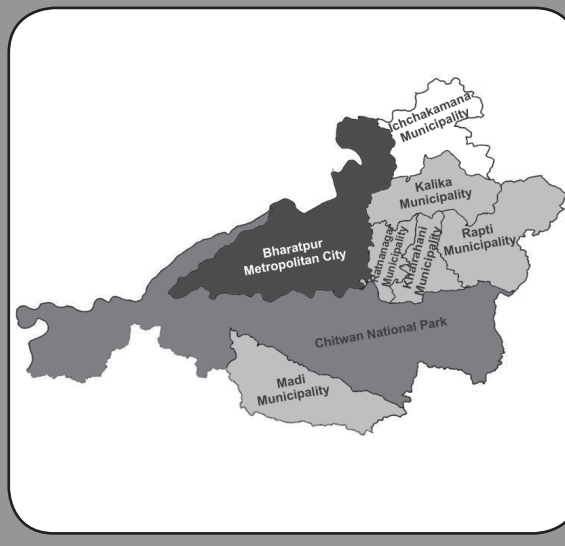
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	Total
Polygamy		1	2	3	6
Rape	2		8	10	20
Attempt to Rape			3	2	5
Sexual Abuse	1				1
Total	**3**	**1**	**13**	**15**	**32**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	9	9

3.13 Chitwan



Total Population	7,22,168
Women	3,68,197
No. of Constituency (HoR)	3
No. of Constituency (PA)	6
Below Poverty Level	50,494
No. of Migrant Workers	50,421
Population of Disability	12,937
Literacy above 5 yrs (%)	97.5
Dependent Population	2,30,373

There was one male victim of Human Rights violation who died in jail and 85 victims (83 female and two male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 45 were victims of Child Rights Violation, 36 were victims of Women Rights Violation, one was victim of caste-based discrimination and three were victims of killing.

JAIL AND DETENTION

The district jail had the capacity of holding 280 inmates but there were 714 inmates, including 50 female. There were two dependent children in the jail and nine male inmates over 70 years of age. The inmates had access to drinking water, toilets, newspapers, radio, television, and sports equipment, volleyball, chess, ludo, carom board, and a library. There were provisions of skill-based training in the prison.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

The District Court with six judges had adjudicated 477 criminal cases out of the 980 and 521 civil cases out of 887. There were four criminal and civil cases each that had not been decided for over two years.

CHILD RIGHTS

Educational Status

The district has 208 elementary and 222 secondary schools. There were positions for 2,466 teachers and out of them 45 were vacant. This year 11,057 girls and 33,497 boys were enrolled in the schools. Out of them, 42 girls and 61 boys were with disabilities. There were 11 disability-friendly schools in the district. This year, 2,900 boys and 2,300 girls were enrolled in the schools. Fifty-five children from conflict-affected families received scholarships.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Death in Jail		1	1			
Killing				2	1	3
Caste Based Discrimination					1	1
Child Rights	Child Marriage			1		1
	Child Trafficking			2		2
	Rape			28		28
	Sexual Abuse			14		14
	Total			**45**		**45**
Women Rights	Domestic Violence			2		2
	Polygamy			11		11
	Rape			14		14
	Attempt to Rape			6		6
	Women Trafficking			3		3
	Total			**36**		**36**
Grand Total		**1**	**1**	**83**	**2**	**85**

INSEC documented 28 victims of rape, 14 of sexual abuse, two of trafficking, and one of child marriage. Two accused of rape were sentenced to jail, 24 accused were sent to judicial custody and one accused was in custody for investigation. Two accused of sexual abuse were sentenced to jail and 14 accused were sent to judicial custody. Two accused of trafficking and one of child marriage were sent to judicial custody.

Rape, Sexual Abuse

A complaint was filed against Mahendra Sapkota, 27, of Rapti Municipality-10 at the Area Police Office, Khairhani on July 11, 2021, alleging that he had sexually abused a 17-year-old on June 9. The health checkup of the victim was conducted at Bharatpur Hospital on July 11. The accused was arrested by the police on July 10. The accused was proven guilty on November 19 and was sentenced jail to five years. He was also charged a fine of NPR 20,000 compensation.

A complaint was lodged at the District Police Office, Chitwan on April 6, 2021, against Suman Sapkota, 21, of Bharatpur Municipality-4 alleging that he had raped an 11-year-old girl on April 2. The health checkup of the victim was conducted at Bharatpur Hospital on April 7. The accused was arrested by the police on April 7. He was found guilty and sentenced to jail for 18 years.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 211 women filed complaints of domestic violence at the Women, Children, and Senior Citizen's Service Centre among which 93 complaints were of beating and home eviction, 73 complaints of deprivation of food and clothes, and 45 complaints of abuse. Of them, 138 complaints were reconciled and 73 were under legal review.

INSEC documented two victims of domestic violence, 14 of rape, six of attempt to rape, 11 of polygamy and three of trafficking. Two accused of domestic violence and trafficking were sent to judicial custody. Two accused of rape were sentenced to jail and 12 were sent to judicial custody. Two accused of attempt to rape were sentenced to jail, three were sent to judicial custody, and one was in custody for investigation.

Rap, Attempt to Rape

A complaint was filed against Sabin Verma, 40, of Khairhani Municipality at the Area Police Office, on June 10, 2021, alleging that he had attempted to rape a 26-year-old woman with a disability on June 9. The health checkup of the victim was conducted at Bharatpur Hospital on June 9. The accused was arrested on June 9. He was found guilty and sentenced to jail for six years on December 3.

A 20-year-old woman lodged a complaint against Rabin Ram Dam, 28, of Bharatpur Metropolitan City-23, Parbatipur at the District Police Office on July 18, 2021, alleging that he had raped her on July 16. The accused was arrested by the police on July 19. The health checkup of the victim was conducted at Bharatpur Hospital on July 19. Police registered a case against the accused in court on August 11. The accused was found guilty and sentenced to jail for eight years on December 1.

HEALTH SERVICES

The district has Bharatpur Central Hospital, BP Koirala Memorial Cancer Hospital, four district-level hospitals, 36 health posts and four primary health centres. There were vacant positions for three doctors and seven assistant health workers.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Child Marriage			1	1
Child Trafficking			2	2
Rape	3	1	24	28
Sexual Abuse	2		12	14
Total	**5**	**1**	**39**	**45**

WOMEN RIGHTS

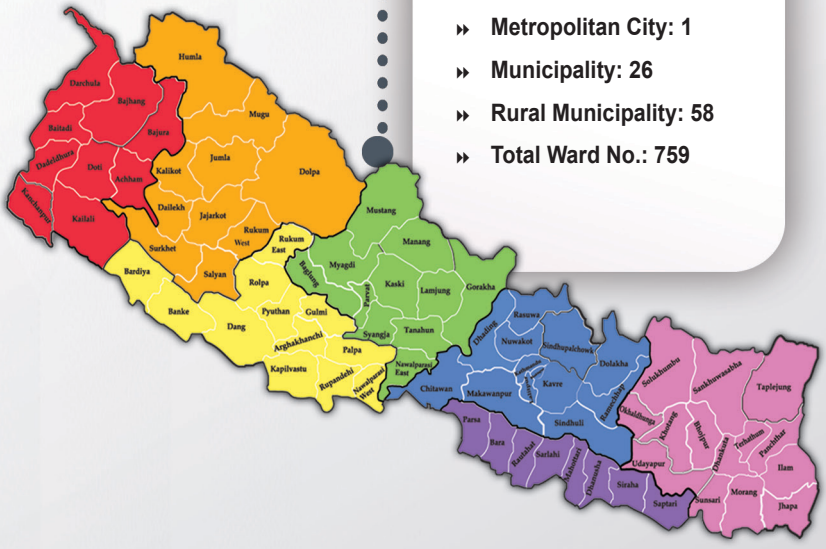
Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Domestic Violence			2	2
Polygamy	2		9	11
Rape	2		12	14
Attempt to Rape	2	1	3	6
Women Trafficking			1	1
Total	**6**	**1**	**27**	**34**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	3	3

Gandaki Province

- Area: 21,828 sq.km.
- Population: 24,79,745
- 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



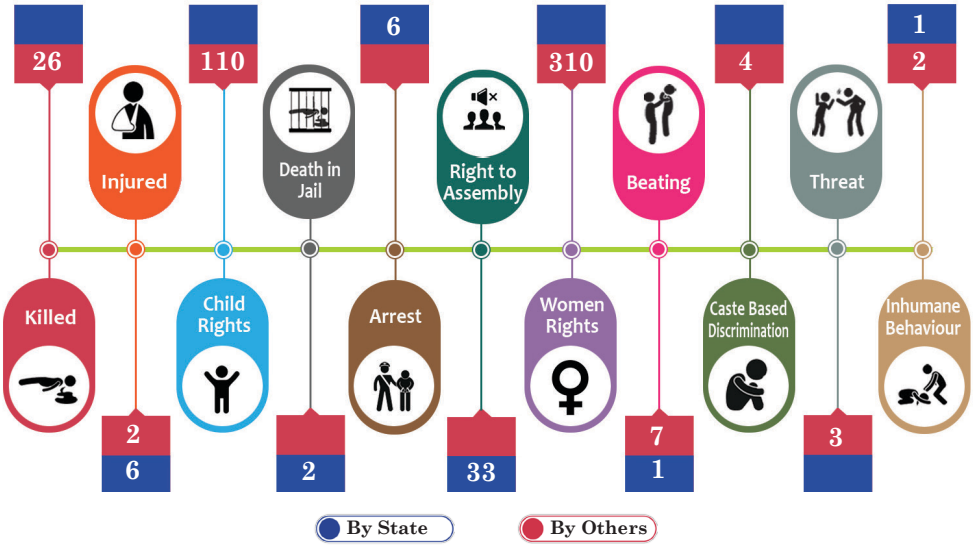
Introduction: Gandaki Province

The government of Gandaki Province adopted the policy of prosperous province, happy citizen, and child friendly governance. Fifty laws were promulgated till the end of 2021 by the provincial assembly. The government had declared the psycho-social counselling, educational scholarship and entrepreneurship programs for the protection of the women and girls. The vocational education for the victims of the sexual and gender based violence is provisioned as per the need of individual victims. Similarly, the government has announced the policy of inclusion and protection of marginalized communities including women, children, and senior citizen. Zero tolerance approach has been adopted by the government under its annual policy to combat the violence against women and ill social practices.

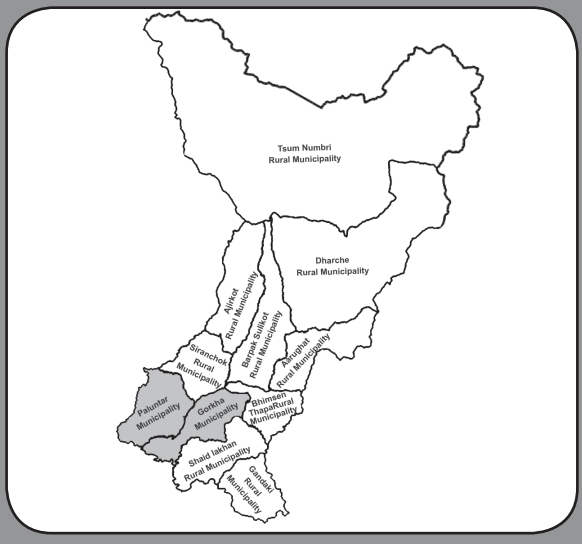
This year, 1320 houses were handed over through the People's Housing Programme to the targeted population. The government of Gandaki Province allocated 38 hospitals as COVID-19 dedicated hospital for ensuring the treatment of the infected persons. This year, 73,827 persons were diagnosed with COVID-19, and among them 1234 died. Thirty two hospitals are under construction among 53, whose foundation was laid on November 30, 2020 under the "One Local Government One Hospital Program" of the federal government.

There were 49 victims (one female and 48 male) of Human Rights violations and 464 victims (434 female and 30 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; one was victim of beating, six were arrested, 33 were victim of right to assembly, six were injured, two died in jail and one of inhumane behavior. Similarly, 110 were victims of Child Rights Violation, 310 were victims of Women Rights Violation, seven were victim of beating, three of threatening, two were injured, and 26 were victims of killing among the documented victims of abuse.

No. of Victims by Incident (In 2021)



4.1 Gorkha



Total Population	2,52,201
Women	1,32,390
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	54,875
No. of Migrant Workers	28,104
Population of Disability	12,937
Literacy above 5 yrs (%)	66.03
Dependent Population	1,19,334

There were 22 victims (21 female and one male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 14 were victims of Child Rights Violation, six were victims of Women Rights Violation, and two were victims of caste-based discrimination.

JAIL AND DETENTION

The District Jail had the capacity of holding 50 inmates but there were 129 inmates, including 24 female. There were no dependent children in the jail. There were four male inmates above the age of 70 years. Since the number of male inmates was very high, there was the problem of overcrowding. The inmates had access to drinking water, toilets, means of communication and leisure activities. One position of Assistant Health Worker was vaccant at the jail since mid- July. In the need of critical care, the inmates were transferred to the Central Jail of Kathmandu from where they were sent to hospitals for treatment. All the inmates were vaccinated against COVID-19. After the monitoring of NHRC and INSEC, it was discovered that the physical structure of the jail was in a vulnarable state and it was overcrowded.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 32 criminal cases out of 70, and 113 civil cases out of 300. There were three civil cases that had not been decided for over two years. Fifty-seven out of 149 cases that had been carried over from 2020 had been decided. Fourteen out of 35 positions were vacant in the court. Eight were hired on contract.

Type of Events		By Others		
		Female	Male	Total
Caste Based Discrimination		1	1	2
Child Rights	Rape	12		12
	Sexual Abuse	2		2
	Total	**14**		**14**
Women Rights	Domestic Violence	2		2
	Rape	2		2
	Attempt to Rape	2		2
	Total	**6**		**6**
Grand Total		**21**	**1**	**22**

CHILD RIGHTS

Educational Status

The district has 474 schools including 428 community schools which includes 13 religious schools and 46 organizational schools. Among the schools; 393 were Child Development Centres, 252 were primary schools, There were 2,069 positions for teacher in the district. A total of 33,324 boys and 33,525 girls were enrolled in 2021, including 182 girls and 168 boys with disabilities. There were four disability-friendly schools. Fifteen students of conflict-affected families received scholarship. In 2021, 7,180 boys and 7,114 girls from Dalit families were enrolled in the schools. Schools in accessible areas of the district started teaching online during the COVID-19 affected period. However, online education was not effective due to the lack of internet access of the students.

INSEC documented 12 victims of rape and two victims of sexual abuse. The accused of sexual abuse was released on bail of NPR 60,000 and other was sentenced to jail. Likewise, three accused of rape were sent to judicial custody, three minors accused were handed over to parents, two other minor accused were sent to the child rehabilitation centre, three were sentenced to jail, one was released on bail of NPR 100,000 and one was not absconding till the end of the year.

Rape, Sexual Abuse

A complaint was filed against Kashiram Sunar, 26, of Aarughat Rural Municipality-6 at the District Police Office on February 27, 2021, alleging that he had raped a 14-year-old girl on February 20. The health checkup of the victim was conducted at Gorkha Hospital on February 28. The accused was arrested by the police on February 28 from his residence at Aarughat Rural Municipality-6. According to the statement of the victim, the accused had taken her to his own house saying he would take her to her uncle's house on February 20. The victim was missing and was found at the house of the accused. Police registered a case against the accused in the District Court of Gorkha on February 28. The accused was remanded to judicial custody on March 24. He was found guilty on July 29 and was sentenced to jail for 10 years. He was also charged a fine of NPR 400,000.

A verbal complaint was filed against Bhagwan Khatri of Gorkha Municipality-7 at the District Police Office, Gorkha on March 28, 2021 alleging that he had sexually abused a 14-year-old girl on March 28. The accused was arrested from his house at Tharpu on March 28. The health checkup of the victim was conducted at Gorkha Hospital on March 30. The victim lodged a written complaint at the District Police Office, Gorkha on March 29. Police registered a case against the accused at the District Court, Gorkha on March 29. The accused was found guilty on October 31 and was sentenced to jail for six months. He was also charged a fine of NPR 5,000 and compensation of NPR 5,000.

A complaint was filed against Raju Shrestha, 24, of Nilkantha Municipality-11, Dhading on February 16, 2021, alleging that he had raped a 15-year-old girl on February 15. The accused was ar-

rested from his temporary residence at Gorkha Municipality-8, Kholkho on February 16. The health checkup of the victim was conducted at Gorkha Hospital on February 16. The accused was remanded to judicial custody on March 10. He was found guilty on September 1 and was sentenced to jail for 12 years. He was also charged a fine of NPR 400,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 202 women filed complaints of domestic violence at the Women, Children, and Senior Citizens' Service Centre among which 144 were reconciled, 38 were sent to the local level's judicial committee, and 19 were under legal review.

INSEC documented two victims of domestic violence, two of rape and two of attempt to rape. Three accused of rape were sent to judical custody. An accused of attempt to rape was sent to judicial custody and another was sentenced to jail.

Rape, Attempt to Rape and Sexual Abuse

A complaint was filed against Mukti Prasad Dawadi, 35, of Bhakenswara in Lakhan Rural Municipality-7 on February 10, 2021, at the District Police Office, alleging that he had attempted to rape a 22-year-old woman on February 9. The accused was arrested on February 11. The health checkup of the victim was conducted at Gorkha Hospital on February 11. Police registered a case against the accused at the District Court, Gorkha on February 11. The accused was remanded to judicial custody on March 2. The accused was found guilty on June 28 and was sentenced to jail for three years. He was also charged a compensation of NPR 20,000.

HEALTH SERVICES

The district has two government hospitals, 67 health posts, and three primary health centres and 45 elementary Health Units, 11 urban health centres, 54 birthing centres, 262 vaccination centres and 221 clinics. There were vacant positions for eight specialist doctors, 57 staff nurses and 67 paramedics in the district.

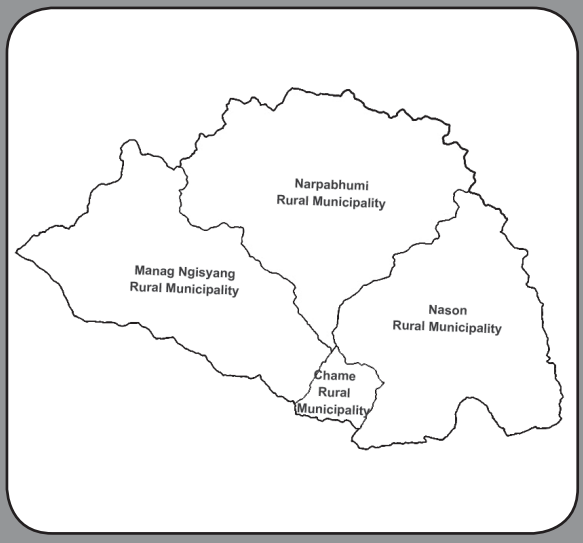
There were 68,313 people with health insurance and among them 32,468 are males and 35,845 are females. Among those with health insurance, 3,090 were from needy families. Likewise, 13,163 senior citizens, 459 people with 'A' category of disability and 459 HIV infected had enrolled into the free health insurance scheme.

The foundation of seven local level hospitals was laid on November 30, 2020. Among them, Barpak Sulikot Rural Municipality and Ajirkot Rural Municpality had completed the tender process. Till the end of this year, Chumanubri Rural Municipality, Siranchowk Rural Municipality, Dharche Rural Municipality and Shahid Lakhan Rural Municipality were involved in the tender process. Bhimsen Thapa Rural Municipality has prepared DPR for the construction of the hospital building.

According to the statistics of the Directorate of Health, Gandaki till December 31, 2021, 6,521 were diagnosed with COVID-19 in the district and among them, 41 died. Seventy-two percent above the age of 18 years were fully vaccinated against COVID-19. Similarly, from the age group of 12 to 17 years, 70 percent had received the first dose of vaccination.

Number of Incident with Status of Legal Proceeding in 2021				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Rape	3	1	8	12
Sexual Abuse	1		1	2
Total	**4**	**1**	**9**	**14**
WOMEN RIGHTS				
Type of Events	**Closed Case**	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence		2		2
Rape			2	2
Attempt to Rape	1		1	2
Total	1	2	3	6

4.2 Manang



Total Population	5,645
Women	2,457
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	2,150
No. of Migrant Workers	204
Population of Disability	794
Literacy above 5 yrs (%)	74.8
Dependent Population	1,747

JAIL AND DETENTION

The District Jail had the capacity of holding 35 inmates and there were two inmates in jail this year. The inmates were facing difficulty in staying inside the jail due to the cold. The inmates didn't have access to newspaper and television; however, board games were available in the jail.

RIGHT TO PROMPT AND FAIR TRIAL

No verdict was rendered in criminal cases by the district court in 2021. Out of five civil cases at the court, two cases were adjudicated.

CHILD RIGHTS

Educational Status

The district has 23 elementary and four secondary schools in the district. There were positions for 200 teachers; however, due to geographical difficulty, teachers didn't visit schools regularly. This year, 621 students were enrolled in the schools including 300 girls and 321 boys. Twenty-five boys and 33 girls from Dalit community received scholarship. Due to COVID-19 schools were completely shut down in the district and the activities adhered by the government couldn't be conducted.

ALL KINDS OF VIOLENCE AGAINST WOMEN

No cases of violence against women were filed in the district in 2021.

HEALTH SERVICES

The district has a government hospital with positions for three doctors. There were three elementary health units and 13 health posts. There were 35 vacant positions of the health workers in the district. Due to the geographical hurdles, staffs were reluctant to go to work and were taking the job somewhere else. The swabs of RT-PCR had to be sent to

Pokhara for testing. The district hospital was changed into COVID-19 hospital. The foundation of five-bedded hospitals was laid at Narpabhumi Rural Municipality, Naasau Rural Municipality, and Manang Disyang Rural Municipality on November 30, 2020. No health insurance scheme was available in the district.

Till December 31, 2021, 154 were diagnosed with COVID-19 in the district and among them, two died.

4.3 Mustang

Total Population	14,596
Women	6,422
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	4,632
No. of Migrant Workers	1,425
Population of Disability	204
Literacy above 5 yrs (%)	66.2
Dependent Population	4,342

There were four victims of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; two were victims of Child Rights Violation, one was victim of Women Rights Violation and one was victim of beating.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates and there were seven inmates. Since there was no compound in the jail, inmates had to stay in the room. This year two inmates were infected with COVID-19. The inmates had access to television and a board game for entertainment.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated seven criminal cases out of 16 and five civil cases out of 10. There was one criminal case that had not been decieded for over a year. The court had hired two employees on contract and two positions were still vacant.

CHILD RIGHTS

Educational Status

The district has 53 community schools, four organizational schools and eight *Gumba* (monastic) schools. A total of 3,091 students were enrolled in the schools in 2021. There were positions for 322 teachers in the district. There were

Type of Events		By Others		
		Female	Male	Total
Beatings			1	1
Child Rights	Rape	2		2
	Total	**2**		**2**
Women Rights	Rape	1		1
	Total	**1**		**1**
Grand Total		**3**	**1**	**4**

no new admissions this year. The academic sessions in the Himalayan region begins from mid-February but this year there were no classes held. There were initiatives taken for online classes due to COVID-19 however it was not effective.

INSEC documented two victims of rape. The accused were sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

INSEC documented a victim of rape. The accused of rape case was sent to judicial custody.

HEALTH SERVICES

The district has a government hospital, 15 health posts, and one primary health centre. There were vacant positions for one specialist doctor, two auxiliary nurse-midwives and 11 health workers in the district. The district hospital served patients with seasonal flu and altitude sickness and those with chronic diseases were referred to Pokhara and Kathmandu for treatment.

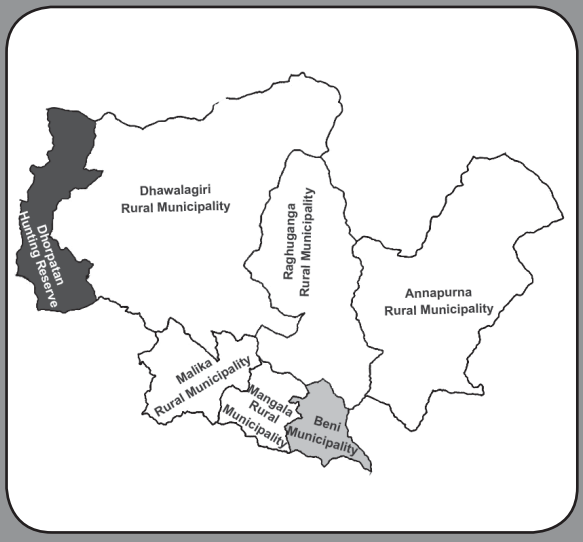
There were no beneficiaries of health insurance. The district hospital was converted into COVID hospital. Safe abortion services stopped due to the lack of skilled human resources and the beneficiaries were referred to Beni.

The Government of Nepal laid the foundation of a five-bedded hospital in Bahragung Muktichhetra Rural Municipality and Thasang Rural Municipality. The land has been acquired in Damodarkund Rural Municipality and Lo Ghekar Rural Municipality and the tender process had started. The work of documentation including DPR was completed.

According to the statistics of the Directorate of Health, Gandaki, till December 31, 2021, 281 were diagnosed with COVID-19 in the district and among them, 17 died.

Number of Incident with Status of Legal Proceeding in 2021		
CHILD RIGHTS		
Type of Events	**Legal Proceeding**	**Total**
Rape	2	2
Total	**2**	**2**
WOMEN RIGHTS		
Type of Events	**Legal Proceeding**	**Total**
Rape	1	1
Total	**1**	**1**

4.4 Myagdi



Total Population	1,07,372
Women	54,818
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	31,323
No. of Migrant Workers	14,314
Population of Disability	6,122
Literacy above 5 yrs (%)	71.9
Dependent Population	52,157

There was one male victim of Human Rights violation who was arrested and 24 victims (19 female and five male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; nine were victims of Child Rights Violation, ten were victims of Women Rights Violation, one was victim of threatening, one was victim of beating, one was victim of inhumane behaviour and two were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 32 inmates but there were 104 inmates of which six were female. There were two male inmates above the age of 60 and four with chronic illness. There were no dependent children in the jail. One position of Assistant Health Worker was vacant at the jail and the inmates had to be taken to Beni hospital for regular health checkup.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 22 criminal cases out of 112 and 99 civil cases among 210 from 2021. There were four cases exceeding one year.

CHILD RIGHTS

Educational Status

The district has 189 elementary schools and 69 secondary schools. There were positions for 1,280 teachers in the district. This year, 13,723 girls and 14,351 boys were enrolled in the school among which 80 girls and 63 boys were with disabilities. There were no disability-friendly schools in the district however, classes for children with disability were conducted at three schools. There were 9,474 Dalit children including 4,873 boys and 4,601 girls enrolled in the schools this year. Three children from conflict-affected families and two children of migrant

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		1	1			
Beating					1	1
Inhumane Behaviour					1	1
Killing					2	2
Threats					1	1
Child Rights	Child Marriage			1		1
	Rape			8		8
	Total			**9**		**9**
Women Rights	Domestic Violence			6		6
	Rape			4		4
	Total			**10**		**10**
Grand Total		**1**	**1**	**19**	**5**	**24**

workers received scholarships.

INSEC documented eight victims of rape and one of child marriage. Five accused of rape and an accused of child marriage was sent to judicial custody. A minor accused was handed over to the parents on a general date and two minor accused were sent to the child rehabilitation centre.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 37 women filed complaints of domestic violence at the Women, Children and Senior Citizen's Service Centre among which 36 were reconciled and one was undergoing court procedures.

INSEC documented six victims of domestic violence and four of rape. Six accused of rape were sent to judicial custody.

HEALTH SERVICES

The district has one government hospital, 39 health posts, one primary health centre, four municipal health centres and 11 community health units. There were vacant positions for eight specialist doctors, seven staff nurses and one auxiliary nurse-midwife. There were 4,683 families with health insurance. Also, 4,068 senior citizens were affiliated to free health insurance.

The foundation of the local level hospitals were laid on November 30, 2020. The construction work of the hospitals at Mangala Rural Municipality, Dhaulagiri Rural Municipality, and Annapurna Rural Municipality was started while Raghuganga Rural Municipality was going through a dispute regarding location of the hospital.

According to the statistics of the Directorate of Health, Gandaki Province 3,084 were diagnosed with COVID-19 in the district and among them, 54 died. Ninety-four percent above the age of 18 years have been fully vaccinated against COVID-19. Similarly, from the age group of 12 to 17 years, 81 percent have received the first dose of vaccination.

Number of Incident with Status of Legal Proceeding in 2021			
CHILD RIGHTS			
Type of Events	**Legal Proceeding**		**Total**
Child Marriage	1		1
Rape	8		8
Total	**9**		**9**
WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	6		6
Rape		4	4
Total	**6**	**4**	**10**
Number of Incidents			
Type of Events	**Legal Proceeding**		**Total**
Killing	2		2

4.5 Kaski

Total Population	5,99,504
Women	3,06,740
No. of Constituency (HoR)	3
No. of Constituency (PA)	6
Below Poverty Level	19,330
No. of Migrant Workers	57,305
Population of Disability	9,219
Literacy above 5 yrs (%)	82.04
Dependent Population	1,96,519

There were six male victims of Human Rights violation and 94 victims of abuses documented by INSEC in 2021. Among the documented victims of human rights violation, one was arrested and five were deprived of their right to assembly, expression, and association. Similarly, there were 10 victims of Child Rights Violation, 72 victims of Women Rights Violation, two were victims of threatening, three were victims of beating and seven were victims of killing.

THREATENING/BEATING

INSEC documented three victims of beating in 2021.

JAIL AND DETENTION

The District Jail had the capacity of holding 420 inmates but there were 898 inmates of which 66 were female. There were three dependent children in the jail. There were limited numbers of toilets in the jail and the condition of the jail was poorly managed due to overcrowding. The jail had constructed an isolation ward with the capacity of 20 inmates in case of the surge of COVID-19.

Child Rehabilitation Centre Kaski- Sarangkot

There were 90 juveniles in the Child Rehabilitation Centre of Sarangkot. Among them, 43 were in judicial custody and 47 were serving their term of imprisonment. Ten of them were in judicial custody due to the accusation of killing while 10 were serving the term, one was serving the term for rape and 22 were in judicial custody, three were serving the term for theft and two were in judicial custody, two were serving the term for drug addiction and two were in judicial custody. Likewise, one was serving the term for caste-based discrimination and two for killing in a road accident while one is in judicial custody for killing in road accident.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		1	1			
Beating					3	3
Killing				4	3	7
Right to Assembly		5	5			
Threats					2	2
Child Rights	Corporal Punishment				1	1
	Infanticide			1		1
	Rape			3		3
	Sexual Abuse			2	3	5
	Total			**6**	**4**	**10**
Women Rights	Domestic Violence			64		64
	Rape			2		2
	Women Trafficking			6		6
	Total			**72**		**72**
Grand Total		**6**	**6**	**82**	**12**	**94**

RIGHT TO ASSEMBLY, EXPRESSION AND ASSOCIATION

Shiva Parajuli, 24, of Pokhara Metropolitan City-5 was injured during a protest against the government's ordinance on the provisions related to the party split of the Political Parties Act-2017. The protest took place in Pokhara Metropolitan City on August 18, 2021. Parajuli was also a member of the ANNFSU-Kaski District Committee injured when police intervened during the public speech after the rally at Bhimsen Chowk in Pokhara jointly organized by the CPN-UML-affiliated National Youth Association Nepal and ANNFSU. He was treated at Om Hospital, Pokhara.

Police have arrested Ishwar Nepali, 31, a leader of Caste System Abolition Front Nepal, Gandaki Province and Netra Chapagain, 34, and Resham Sapkota, 32, cadres of People's Socialist Party on June 29, 2021, during a protest against caste-based discrimination at Pokhara Metropolitan City-4 Manavadhikar Chowk. The protest was caused alleging the Minister for Education, Science, and Technology Krishna Gopal Shrestha, who is also responsible for four other ministries of the Government of Nepal for supporting the accused of caste-based discrimination. They were arrested while burning the effigy of Minister Shrestha during the protest. They were kept at District Police Office Kaski after the arrest and were released on the same day. Saraswati Pradhan of Kathmandu Metropolitan-11, Babarmahal was arrested for refusing to rent a flat to Journalist Rupa Sunar because of her caste. A picture of Minster Shrestha with accused Pradhan during her bail was released on social networking sites on June 23.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with seven judges had adjudicated 304 criminal cases out of 986 and 855 civil cases among 1,581 in 2021. There were 782 cases (382 criminal and 400 civil) that had exceeded one year. There were 1,179 cases carried over from 2020. The court had hired nine employees on contract and four positions were vacant.

High Court Pokhara

The court had positions for six judges. It had received 931 criminal cases in 2021 out of which 263 were adjudicated. The court had adjudicated 236 cases (51 criminal and 185 civil) out of 551 (184 criminal and 367 civil) cases carried over from 2020. There were three cases of Habeas Corpus out of which two were decided. There were 61 cases that had not been decided over two years.

CHILD RIGHTS

Educational Status

The district has 345 elementary schools and 287 secondary schools. The Pokhara Metropolitan City has 127 elementary schools and 76 secondary schools. There were positions for 2,388 teachers in the district. There were 28,924 girls and

32,541 boys enrolled this year. Thirty-four children from conflict-affected families and 46 children of migrant workers received scholarships.

INSEC documented three victims of rape, five of sexual abuse, one of corporal punishment and one of infanticide. The accused of sexual abuse was released on bail of NPR 100,000, one was sent to judicial custody and one was sentenced to jail. Two accused of rape were sent to judicial custody and one was sentenced to jail. The accused of infanticide was sent to judicial custody and the accused of corporal punishment was in custody till the end of 2021.

Rape, Sexual Abuse

A complaint was filed against Purna Bahadur Thapa, 57, of Gulmi and a temporary resident of Chapachaur in Pokhara Metropolitan City-26 at the District Police Office on January 9, 2021, alleging that he had raped a seven-year-old girl on January 8. The accused was arrested on January 10. The health checkup of the victim was conducted at the Western Regional Hospital on January 10. Police registered a case against the accused in the District Court of Kaski on January 18. The accused was remanded to judicial custody on February 4. He was found guilty on November 22 and was sentenced to jail for three years. He was also charged a fine of NPR 3,000 and compensation of NPR 200,000.

A complaint was filed against Ishwor Shrestha, 23, of Nilkanth Municipality, Dhading and a temporary resident of Ganeshtole in Pokhara Metropolitan City-4 at the District Police Office on April 10, 2021, alleging that he had sexually abused a 15-year-old girl on April 9. The accused was arrested on April 10. The health checkup of the victim was conducted at the Pokhara Institute of Health Sciences on April 10. Police registered a case against the accused in the District Court of Kaski on April 27. The accused was remanded to judicial custody on April 28. He was found guilty on December 15 and was sentenced to jail for two months. He was also charged a fine of NPR 2,000 and compensation of NPR 15,000.

A complaint was filed against Januka Nepali, 27, of Panchakanya Rural Municipality-2, Nuwakot on December 21, 2021, on the charge of physically torturing a six-year-old boy. Januka had been working as the hostel warden at New Life School, Pokhara. The victim had been staying in the hostel of New Life School of Pokhara Metropolitan City-15, Galeshwar Chowk. Januka had tied rubber band on the genital of the child so that he would not urinate in the bed at night. The accused was arrested on December 21. The treatment of the victim was conducted at the Western Regional Hospital on December 21 and the accused was in custody till the end of 2021.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 159 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre. Among them, 38 were the victims of beating and home eviction, 41 of deprivation of food and clothes, nine of deprivation of marriage registration and citizenship, 13 of polygamy and 58 cases of domestic disputes. Cases with criminal nature were sent for court procedures. There was a scarcity of shelters and safe houses for women facing violence.

INSEC documented 64 victims of domestic violence, two of rape and six of trafficking. Two accused of rape were sent to judicial custody, nine accused of trafficking, and two accused of killing were sent to judicial custody.

Killed By Family Members

Gama Bahadur Pun, 50, a temporary resident of Pokhara Metropolitan City-33, was arrested from Lamgadi in Pokhara Metropolitan City-33 on February 5, 2021 alleging that he had killed his wife Harimaya Pun, 42, with an axe on

February 4 after a domestic dispute. The dead body of the deceased was found on February 5 and Pun was arrested after it was discovered that he was involved in the incident. A complaint was filed against the accused at the District Police Office on February 3. The postmortem of the body was conducted at the Western Regional Hospital on February 5. Police registered a case against the accused in the District Court of Kaski on February 23. The accused was remanded to judicial custody on March 2. The case had not received a verdict till the end of 2021.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Infrastructure and Property

Locals in Yangjakot staged a sit-in protest against the decision to shift the centre of Madi Rural municipality on February 3, 2021, and vandalized the gate of the office and the vehicle of the Executive Officer. The Sixth Village Council had decided to shift the centre of the village to Beteni under Madi Corridor of Ward No. 4 and 5, Yangjakot Deurali in Ward No. 3, Majdi in Tarakang of Ward No. 4 and Yangjakot in Savik Ward No. 3. A year later, the Gandaki provincial government decided to recommend it to the federal government, and locals protested demanding the former to be Yangjakot Deurali. They vandalized the lock of the Madi Rural Municipality office on January 5 after the lock was opened on January 5 under the direction of head of Rural Municipality, Bed Bahadur Gurung (Shyam). According to chairperson Bed Bahadur Gurung (Shyam), the disgruntled party smashed the gate of the office and smashed the glass of the Scorpio vehicle (G.3 Cha. 3552) carrying the Executive officer.

HEALTH SERVICES

The district has four government hospitals, one community hospital, 43 health posts, 18 municipal health centres and four primary health posts. There were 26 vacant positions of medical consultants at the Pokhara Institute of Health Sciences. Six patients of COVID-19 including a pregnant woman died due to lack of oxygen at the Western Regional Hospital, Pokhara. The scarcity of oxygen started on the night of May 27, 2021. The patients were undergoing treatment at the hospital with the help of a high flow of oxygen and the sudden scarcity of oxygen caused by a disturbance in oxygen production due to the electricity scarcity led them to death. Three of the deceased were from Tanahun, and one each were from Myagdi, Parbat and Syangja.

The construction work of the hospital at Rupa Rural Municipality was completed this year. The construction work of the hospitals in Annapurna Rural Municipality and Madi Rural Municipality was not completed and the hospital building of Machhapuchhre Rural Municipality was not started due to land issues. Senior citizens are deprived of receiving the health services even though separate arrangements are ensured for the senior citizens health insurance due to the lack of human resources. There was less awareness regarding health insurance, lack of availability of health service centres which provided the free treatment based on health insurance scheme and the long distance of health insurance scheme related hospital were found as the causes of the problem to attract the people in the insurance scheme.

According to the statistics of the Directorate of Health, Gandaki till December 31, 2021, 520 infected persons died out of 30,117 persons diagnosed with COVID-19 positive in the district. Ninety-eight percent above the age of 18 years have been fully vaccinated against COVID-19. Similarly, from the age group of 12 to 17 years, three percent have received the first dose of vaccination.

Number of Incident with Status of Legal Proceeding in 2021			
CHILD RIGHTS			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Corporal Punishment		1	1
Infanticide		1	1
Rape	1	2	3
Sexual Abuse	1	2	3
Total	**2**	**6**	**8**

WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	64		64
Rape		2	2
Women Trafficking		5	5
Total	**64**	**7**	**71**

Number of Incidents		
Type of Events	**Legal Proceeding**	**Total**
Killing	7	7

4.6 Lamjung

Total Population	1,53,480
Women	90,271
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	27,895
No. of Migrant Workers	21,161
Population of Disability	4,745
Literacy above 5 yrs (%)	71.1
Dependent Population	71,899

There was one female victim of Human Rights violation who died in detention and 27 victims (25 female and two male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; nine were victims of Child Rights Violation, 15 were victims of Women Rights Violation, two were victims of caste-based discrimination, and one was victim of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 35 inmates but there were 112 inmates, including eight female. One Assistant Health Worker was posted at the jail. There were eight inmates with mental illness among which four were in a severe state and were under regular medication. There were four male inmates above the age of 60 and eight inmates with chronic diseases. The jail was overcrowded and lacked recreational activities.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 14 criminal cases out of 114 and 79 civil cases among 271 in 2021. There were 41 cases (21 criminal and 20 civil) that had not been adjudicated for-over two years. The court had hired two employees on contract.

CHILD RIGHTS

Educational Status

The district has 268 elementary schools and 123 secondary schools. There were positions for 1,990 teachers in the district out of which 97 positions were vacant. There were 21,019 girls and 19,765 boys enrolled in 2021, among which 30 were with disabilities. There are 150 disability-friendly schools in the district. Eleven children from conflict-affected families received scholarships.

This year, 4,901 girls and 5,263 girls from Dalit families were enrolled in the schools. Students faced problems

in attending online classes during COVID-19

INSEC documented eight victims of rape and one of sexual abuse. The accused of sexual abuse and all eight accused of rape were sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 43 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which 24 were deprived of food and clothes, 11 were deprived of citizenship and eight were victims of beating.

INSEC documented 10 victims of domestic violence, three of rape, and two of polygamy. Two accused of rape were sent to judicial custody and one was released on bail of NPR 200,000. The accused husbands and second wives in the cases of polygamy were released on bail of NPR 250,000, NPR 60,000, NPR 50,000 and NPR 10,000 respectively.

ALL KINDS OF CASTE-BASED DISCRIMINATION

INSEC documented two victims (one female and one male) in the case of caste-based discrimination in 2021. Both the cases were reconciled.

HEALTH SERVICES

The district has two government hospitals, two community hospitals, 59 health posts, 16 municipal health centres, 11 primary health centres and eight community health units. There were vaccant positions for three doctors, 134 staff nurses, 31 auxiliary nurse-midwives, 44 health assistants and assistant health workers in the district. The government hospital didn't have the position of a specialist doctor. There was no provision for health insurance in the district. Senior citizens were prioritized in the hospital while delivering services. District community hospital was used as a temporary COVID-19 treatment hospital. This year, there were 3,218 diagnosed with COVID-19 and among them, 36 died. Seventy-seven percent above the age of 18 years have been fully vaccinated against COVID-19 in the district.

Type of Events		By State		By Others		
		Female	Total	Female	Male	Total
Death in Jail		1	1			
Killing					1	1
Caste Based Discrimination				1	1	2
Child Rights	Rape			8		8
	Sexual Abuse			1		1
	Total			**9**		**9**
Women Rights	Domestic Violence			10		10
	Polygamy			2		2
	Rape			3		3
	Total			**15**		**15**
Grand Total		**1**	**1**	**25**	**2**	**27**

Number of Incident with Status of Legal Proceeding in 2021		
CHILD RIGHTS		
Type of Events	**Legal Proceeding**	**Total**
Rape	8	8
Sexual Abuse	1	1
Total	**9**	**9**

CHILD RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	10		10
Polygamy		2	2
Rape		3	3
Total	**10**	**5**	**15**

Number of Incident		
Type of Events	**Legal Proceeding**	**Total**
Killing	1	1

4.7 Tanahun

Total Population	3,27,620
Women	1,74,699
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	47,535
No. of Migrant Workers	46,387
Population of Disability	6,668
Literacy above 5 yrs (%)	74.08
Dependent Population	1,41,300

There were 36 male victims of Human Rights violation and 114 victims (112 female and two male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; twenty-eight were deprived of their right to assembly, expression, and association, one was victim of beating, and one was victim of inhumane behaviour. Similarly, there were five victims of Child Rights Violation, 104 were victims of Women Rights Violation and one was victims of beating.

BEATING/MISBEHAVIOUR

By State

Chiranjeevi Khanal, 42, of Bhimad Municipality-8 was beaten and abused by the chairperson of Bhimad Municipality-8 and Buddhiman Shrestha, 61, at the ward office premises on April 22, 2021. According to the statement of the victim, he had gone to get a recommendation letter from the ward office and Shrestha had denied signing it for various reasons. On the other hand, Shrestha said that Khanal had not provided assistance to a single woman for the construction of a private house through the Reconstruction Authority and was living on the land that Khanal owned. Khanal said that Shrestha had misbehaved with him. While discussing the issue, ward chairperson Shrestha said that Khanal had tried to throw stones at him. The victim urged Bhimad Municipality office demanding action against the ward chairperson on April 22. However, no action was taken against the ward chairperson.

By Others

Surendra Gurung, 40, in-charge of Dumribesi Police Station was beaten up by Prince Thapa, 23, and Lok Bahadur Thapa, 22, of Harinas Rural Municipality-7 of Syangja district in Bhimad Municipality-1 on March 12, 2021. They were arrested from Dumribesi on March 12 by the Area Police Office. The victim was

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Beatings		1	1		1	1
Inhumane Behaviour		1	1			
Injured		6	6			
Killing				3	1	4
Right to Assembly		28	28			
Child Rights	Corporal Punishment			1		1
	Rape			4		4
	Total			**5**		**5**
Women Rights	Domestic Violence			96		96
	Rape			5		5
	Attempt to Rape			3		3
	Total			**104**		**104**
Grand Total		**36**	**36**	**112**	**2**	**114**

beaten by the accused duo after they had gone to mediate a dispute between the two groups participating in a volleyball tournament held in Dumribesi on March 12. Gurung was treated at Manipal Hospital, Pokhara on March 13. The accused were kept at the Area Police Office, Belchautara and released on March 25.

JAIL AND DETENTION

The District Jail had the capacity of holding 125 inmates but there were 245 inmates among which twenty were above the age of 60 years and seven were above the age of 70. The inmates had access to drinking water, toilets, means of communication, games, television, leisure activities, and a library, but the jail lacked enough living space. One position of Assistant Health Worker was vacant and the inmates were taken to Damauli hospital for regular health checkup. There was an inmate with a mental illness and three with HIV infection. After the monitoring of NHRC and INSEC, it was discovered that the inmates were involved in skill-based income-generating activities and there were televisions in all the rooms of the jail.

Clash in the Jail

Six inmates were injured in a clash at Tanahun District Jail on March 1, 2021. The cause of the clash was a dispute between two groups regarding the position of leader after a few new inmates were transferred to the jail. The injured ones were identified as Kul Bahadur Tamang, Anup Thapa, Madhav Kandel, Dhan Bahadur Shahi, Deepak Darji and Gyan Bahadur BK. After the clash, 15 people were shifted to Bhimphedi Jail and 10 were shifted to Kaski Jail while the injured were treated at Damauli Hospital.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with two judges had adjudicated 37 criminal cases out of 179 and 467 civil cases out of 897 registered in 2021. The court had 301 cases exceeding one year. There were vacant positions for 29 staff while 21 were hired on contract.

CHILD RIGHTS

Educational Status

The district has 318 elementary schools and 119 secondary schools. Similarly, there were 70 elementary and 61 secondary level organizational schools. The district had 2911 positions for teachers of which 112 positions were vacant. The District Education Unit could not provide the number of enrollments and number of Dalit children in the district. There were 149 disability-friendly schools and 54 schools were under construction. Three children from Martyrs' families received scholarship. Sixty children of migrant workers had received scholarships.

INSEC documented four victims of rape and one of corporal punishment. Four accused of rape were sent to judicial custody and one was released on bail of NPR 30,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 115 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service

Centre among which more than 100 were reconciled, some were under court procedure and other were closed without further process.

INSEC documented 96 victims of domestic violence, five of rape and three of attempt to rape. Seven accused of rape were sent to judicial custody, one minor accused was sent to the child rehabilitation centre and three were not arrested till the end of 2021. Three accused of Attempt to Rape and an accused of killing was sent to judicial custody.

Killed By Family Member

Laxmi Darai, 72, of Byas Municipality-12 was killed by her son Prem Darai, 33, on January 21, 2021.The accused had killed her after a domestic dispute. The victim was attacked by a wooden shaft and she died on the spot. Post mortem of the body was conducted on January 22 at Damauli hospital. The accused was arrested from his residence on January 22. Police filed a case against the accused on January 23. The accused was remanded to judicial custody on February 17.

HEALTH SERVICES

The district has three government hospitals, 46 primary health centres, two health posts, 29 elementary health centres and urban health centres. There were vacant positions for 16 doctors, two public health officers, 114 health assistants and assistant health workers, 93 staff nurses and auxiliary nurse-midwives, and six lab technicians. There was a lack of all 35 free medicines provided by the government.

There were 30,557 families with health insurance. The foundation of nine local level hospitals was laid on November 30, 2020, and the construction work of all the hospitals had started.

There were 12 COVID hospitals and isolation wards with 170 beds in the district. There were seven ICUs and four ventilators and two hospitals had oxygen plants.

A 35-year-old man from Bhanu Municipality died on May 9, 2021, due to a lack of timely health treatment while he got infected by COVID-19.

According to the statistics of the Directorate of Health Gandaki Province 5,414 were diagnosed with COVID-19 in the district and among them, 127 were died. Fifty-seven percent above the age of 18 have been fully vaccinated against COVID-19. Similarly, from the age group of 12 to 17 years, seventy-nine percent have received the first dose of vaccination.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Legal Proceeding	No Legal Proceeding	Total
Corporal Punishment		1	1
Rape	4		4
Total	**4**	**1**	**5**

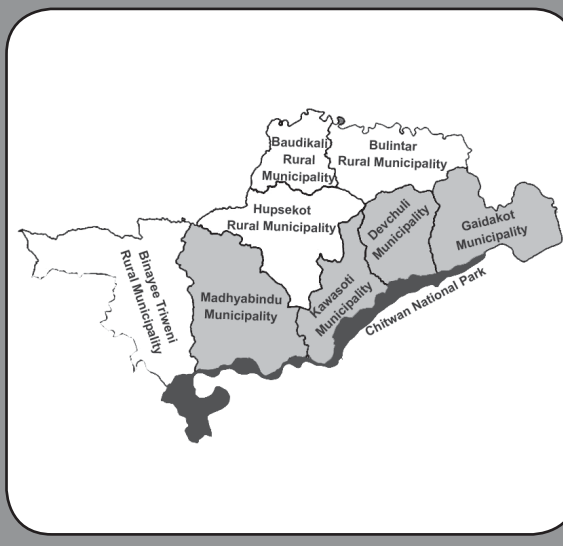
WOMEN RIGHTS

Type of Events	Compromise	Legal Proceeding	Total
Domestic Violence	81	15	96
Rape		5	5
Attempt to Rape		3	3
Total	**81**	**23**	**104**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	4	4

4.8 Nawalparasi East



Total Population	3,81,105
Women	2,01,659
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	Not Available
No. of Migrant Workers	Not Available
Population of Disability	Not Available
Literacy above 5 yrs (%)	70.76
Dependent Population	Not Available

There were 47 victims (45 female and two male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 26 were victims of Child Rights Violation, 17 were victims of Women Rights Violation, one was victim of inhumane behaviour, and three were victims of killing.

JAIL AND DETENTION

The district didn't have a jail. The accused were sent the district jails of Chitwan and Nawalparasi West.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with two judges had adjudicated 111 criminal cases out of 534 and 336 civil cases among 1,022 that were registered in 2021. There were 140 criminal cases and 251 civil cases that had not been decided for over a year.

CHILD RIGHTS

The district has 349 primary schools, 236 elementary schools, and 77 secondary schools. Similarly, the district has 112 primary schools, 41 elementary schools, and 53 secondary organizational schools. There were 2,135 positions for teachers in the district. This year 47,459 girls and 53,002 boys were enrolled in the schools. There were 151 disability-friendly schools in the district.

INSEC documented 20 victims of rape, four of sexual abuse and two of child marriage. Two accused of sexual abuse were sent to judicial custody and one was released on bail of NPR 100,000. Twenty accused of rape were sent to judicial custody, five were sent to child rehabilitation centre and one was absconding till the end of 2021. The two accused of child marriage were released on bail of NPR 50,000 each.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 131 women filed com-

plaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which 115 were reconciled and 16 were undergoing court procedures.

INSEC documented six victims of domestic violence, six victims of rape, four-victims of Attempt to Rape, and one victim of trafficking. Two accused of Attempt to Rape were sent to judicial custody and one accused was in the custody for investigation till the end of this year. Seven accused of rape were sent to judicial custody. An accused of trafficking was sent o judicial custody whereas another was released on bail of 30,000.

HEALTH SERVICES

The district has one government hospital, four primary health centres and 33 health posts. There were vacant positions for one specialist doctor, three staff nurses, and one auxiliary nurse-midwife.

The primary health of Devchuli Municipality and a health post of Gaidakot Municipality was being upgraded into 15-bedded hospitals.

There were 43,746 people with health insurance in the district. Also, 6,417 senior citizens are enrolled to free health insurance.

Type of Events		By Others		
		Female	Male	Total
Inhumane Behaviour			1	1
Killing		3		3
Child Rights	Child Marriage	1	1	2
	Rape	20		20
	Sexual Abuse	4		4
	Total	**25**	**1**	**26**
Women Rights	Domestic Violence	6		6
	Rape	6		6
	Attempt to Rape	4		4
	Women Trafficking	1		1
	Total	**17**		**17**
Grand Total		**45**	**2**	**47**

According to the statistics of the Directorate of Health, Gandaki Province 8,107 were diagnosed with COVID-19 in the district and among them, 123 died. Forty-eight percent above the age of 18 years were fully vaccinated against COVID-19. Similarly, from the age group of 12 to 17 years, 81 percent received the first dose of vaccination.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Child Marriage		1	1
Rape	1	19	20
Sexual Abuse		4	4
Total	**1**	**24**	**25**

WOMEN RIGHTS

Type of Events	Compromise	Legal Proceeding	Total
Domestic Violence	6		6
Rape		6	6
Attempt to Rape		4	4
Women Trafficking		1	1
Total	**6**	**11**	**17**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	3	3

4.9 Syangja

Total Population	2,54,965
Women	1,36,889
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	33,909
No. of Migrant Workers	50,476
Population of Disability	4,451
Literacy above 5 yrs (%)	76.6
Dependent Population	1,21,823

There were 42 victims (41 female and one male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 14 were victims of Child Rights Violation, 26 were victims of Women Rights Violation, one was a victim of beating, and one was victim of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 50 inmates but there were 125 inmates. The inmates had access to drinking water, newspaper, radio, television, board games, and a library. The jail was overcrowded which caused problem to the inmates. There were eight inmates above the age of 60 years. There was one Assistant Health worker for the regular health checkup of the inmates.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with two judges had adjudicated 159 criminal cases out of 210 and 448 civil cases among 463 that were registered in 2021. There were 182 cases that had been carried over from 2020 among which 90 were adjudicated.

CHILD RIGHTS

Educational Status

The district has 382 elementary schools and 167 secondary schools. There were 2,649 positions for teachers. There were 26,285 girls and 28,908 boys enrolled in 2021. There were no disability-friendly schools in the district. This year, 5,188 girls and 5,147 boys from Dalit families were enrolled in the schools. The online classes conducted in the district was not accessible and effective.

INSEC documented 10 victims of rape, two of sexual abuse and two of trafficking. An accused of sexual abuse was sent to judicial custody and four were released on bail of NPR 200,000. Eight accused of rape were sent to judicial custody, three minor accused were sent to the child rehabilitation centre and one was not arrested till the end of 2021. The accused of trafficking was sent to judicial custody.

Type of Events		By Others		
		Female	Male	Total
Beatings			1	1
Killing		1		1
Child Rights	Child Trafficking	2		2
	Rape	10		10
	Sexual Abuse	2		2
	Total	**14**		**14**
Women Rights	Domestic Violence	19		19
	Rape	5		5
	Attempt to Rape	2		2
	Total	**26**		**26**
Grand Total		**41**	**1**	**42**

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 56 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which 44 were reconciled, six were sent to court and six were under legal review.

INSEC documented 19 victims of domestic violence, five of rape and two of attempt to rape. One accused of Attempt to Rape was sent to judicial custody and one was released on bail of NPR 500,000. Four accused of rape were sent to judicial custody and one was released on bail of NPR 100,000. An accused of killing remained in custody for investigation till the end of 2021.

HEALTH SERVICES

The district has a government hospital, 64 health posts and one local level hospital. There were vacant positions for two doctors and one health worker. Seven doctors were hired on contract. There was a scarcity of free medicines provided by the government.

There were 94,260 people with health insurance. Similarly, 1,586 people with full disability and 364 HIV infected were entitled to free health insurance.

The foundation of four local level hospitals was laid on November 30, 2020 and among them the construction work of Chapakot Municipality was in the final stage while the tender has been extended for Bhirkot Municipality and Fedikhola Rural Municipality.

According to the statistics of the Directorate of Health Gandaki Province 6,618 were diagnosed with COVID-19 in the district and among them, 160 died. Ninety-one percent above the age of 18 years have been fully vaccinated against COVID-19. Similarly, from the age group of 12 to 17 years, 84 percent have received the first dose of vaccination.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Child Trafficking		1	1
Rape	1	8	9
Sexual Abuse		2	2
Total	**1**	**11**	**12**

CHILD RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	14	3	2	19
Rape			5	5
Attempt to Rape			2	2
Total	**14**	**3**	**9**	**26**

Number of Incident

Type of Events	Legal Proceeding	Total
Killing	1	1

4.10 Parvat

Total Population	1,32,703
Women	69,575
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	18,426
No. of Migrant Workers	21,735
Population of Disability	3,653
Literacy above 5 yrs (%)	73.8
Dependent Population	62,488

There was one male victim of Human Rights violation who died in detention and 29 female victims of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; eight were victims of Child Rights Violation,19 were victims of Women Rights Violation, and two were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but there were 98 inmates. The jail lacked enough living space. The inmates had access to drinking water, newspaper, radio, television, volleyball, chess, and a library. There were five inmates above the age of 60 years, three were patients of hypertension and one was under medication for mental illness. The inmates were involved in skill-based income-generating activities. One position for Health Worker was vacant till the end of 2021.

Death in Detention

Durgaraj Pandey, 58, of Phalewas Municipality-7 Limithana was arrested by the police on the charge of raping a seven-year-old girl on April 15, 2021. The court remanded him to judicial custody on May 6. According to the police, Pandey committed suicide by hanging himself on October 12 before the verdict was given.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 28 criminal cases out of 58 and 68 civil cases among 151 cases registered in 2021. The court had 180 cases exceeding one year. There were 11 employees in the court whereas six positions were vacant till the end of the 2021.

CHILD RIGHTS

Educational Status

The district has 175 primary schools, 35 elementary schools, and 78 secondary schools. There were 1699 positions for teachers of which 156 positions were vacant. Private schools conducted online classes however, students from community schools were deprived of this facility. The district had five disability-friendly schools. The students with visual disabilities were unable to study through braille script in high school.

INSEC documented five victims of rape, two of sexual abuse and one of trafficking. The accused of sexual abuse were released on bail of NPR 50,000 and NPR 100,000 each. Likewise, four accused of rape and one of trafficking was sent to judicial custody.

Type of Events		By State		By Others	
		Male	Total	Female	Total
Death in Jail		1	1		
Killing				2	2
Child Rights	Child Trafficking			1	1
	Rape			5	5
	Sexual Abuse			2	2
	Total			**8**	**8**
Women Rights	Domestic Violence			15	15
	Rape			3	3
	Sexual Abuse			1	1
	Total			**19**	**19**
Grand Total		**1**	**1**	**29**	**29**

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 64 women filed complaint of domestic violence at the Women, Children and Senior Citizens' Service Centre among which 45 were reconciled, five were under legal review and nine were in the court proceeding.

INSEC documented 15 victims of domestic violence, three of rape and, one of sexual abuse. An accused of sexual abuse was not arrested till the end of 2021. An accused of rape was sentenced to jail, one minor accused was sent to child rehabilitation centre and another was in custody for investigation. Similarly, two accused of killing family member were sent to judicial custody.

Rape, Attempt to Rape and Sexual Abuse

A verbal complaint was filed against Karna Bahadur Pun, 35, of Modi Rural Municipality-3 on January 7, 2021, alleging that he had raped a 33-year-old women on January 6. The health checkup of the victim was conducted on January 7 at the district hospital. The accused was arrested on January 7. The victim filed a written complaint at the District Police Office on January 8. Police filed a case against the accused on January 29. The accused was remanded to custody to judicial custody January 29. He was found guilty on December 29, 2021 and was sentenced to jail for seven and was charged fine of NPR 200,000. He was also charged NPR 200,000 as compensation to the victim.

Killed by Family Member

A complaint was filed against Ram Bahadur Nepali, 35, of Jaljala Rural Municipality- 4 on February 9, 2021, alleging that he had killed in wife Santu Jalari, 35, on February 9. The post-mortem of the victim was conducted at Parbat district hospital on the same day. The accused was arrested on February 9. Ram Bahadur surrendered himself to the police after killing Santu in a forest nearby their residence. A case was filed against the accused on March 7. He was remanded to custody on the same day for further investigation. The final verdict hasn't been rendered yet.

HEALTH SERVICES

The district has a government hospital, 52 health posts, four municipal health centres, and two primary health centers. There were vacant positions for five staff nurses and five auxiliary nurse-midwives in the district. Seven medical officers, ten staff nurses, and five auxiliary nurse-midwives were hired on contract.

The foundation of the local level hospitals was laid on November 30, 2020. Among them, Kusma Municipality and Mahasila Rural Municipality had constructed the hospitals. Construction work was going on at Jaljala Rural Municipality but the construction work of Modi Rural Municipality stopped due to land dispute.

According to the statistics of the Directorate of Health, Gandaki Province 3,417 were diagnosed with COVID-19 in the district and among them, 72 died. Seventy-six percent above the age of 18 have been fully vaccinated against COVID-19. Similarly, from the age group of 12 to 17 years, seventy percent have received the first dose of vaccination.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
Child Trafficking		1	1
Rape	1	4	5
Sexual Abuse		2	2
Total	**1**	**7**	**8**

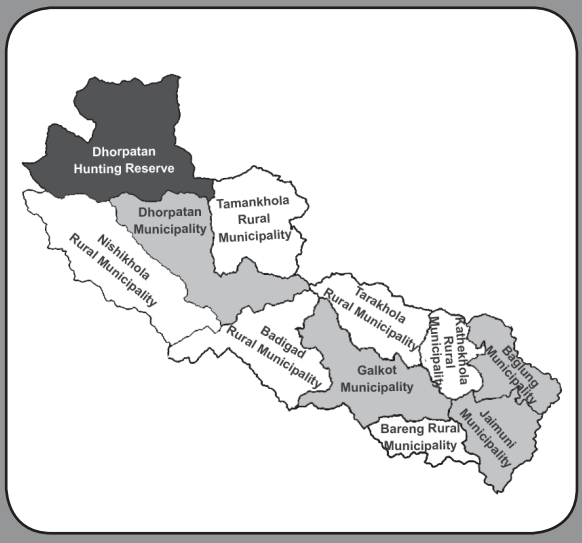
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	1	7	1	5	1	15
Rape	1			1	1	3
Sexual Abuse			1			1
Total	**2**	**7**	**2**	**6**	**2**	**19**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	2	2

4.11 Baglung



Total Population	2,50,554
Women	1,33,365
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	61,163
No. of Migrant Workers	42,623
Population of Disability	6,179
Literacy above 5 yrs (%)	71.9
Dependent Population	1,21,935

There were four male victims of Human Rights violation who were arrested and 61 victims (57 female and four male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 13 were victims of Child Rights Violation, 40 were victims of Women Rights Violation, two were injured, and six were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 90 inmates but it had 147 inmates, including 11 females. There were no dependent children in the jail and there were four male inmates above the age of 60 years. The inmates had access to drinking water and toilets. The inmates also had access to means of communication and leisure activities, and a library. There was one victim of mental illness and one of hypertension. One Assistant Health Worker was posted at the jail for the regular checkup of the inmates.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

The District Court with one judge had adjudicated 100 civil cases out of the total 316 cases, and 119 criminal cases out of 203.

High Court

The High Court had positions for four judges. A total of 16 civil cases out of 53 and 21 criminal cases out of 24 were adjudicated in 2021. The court has adjudicated 109 cases out of 190 that were transferred from 2020.

CHILD RIGHTS

Educational Status

The district has 83 elementary schools, 321 primary schools and 106 secondary schools. The district had positions for 1,398 teachers among which 780 positions had been filled with contractual ser-

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		4	4			
Injured				2		2
Killing				2	4	6
Child Rights	Child Trafficking			1		1
	Rape			8		8
	Sexual Abuse			4		4
	Total			**13**		**13**
Women Rights	Domestic Violence			28		28
	Polygamy			3		3
	Rape			6		6
	Attempt to Rape			3		3
	Total			**40**		**40**
Grand Total		**4**	**4**	**57**	**4**	**61**

vice. There were 32,150 girls and 31,105 boys enrolled this year. Among them, 243 girls and 295 boys had some form of disability. Three children of conflict-affected families and 35 children of migrant workers received scholarships.

INSEC documented eight victims of rape, four of sexual abuse and one of trafficking. Three accused in the case of sexual abuse were released on bail of NPR 50,000 each, one was sent to child rehabilitation centre and one was sent to judicial custody. Three accused of rape were sent to judicial custody, one was handed over to parents with general date, one was declared to have partial involvement in the case, and one was absconding till the end of 2021. An accused of trafficking was sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 33 women filed complaints of domestic violence at the Women. Children and Senior Citizens' Service Centre among which 21 were reconciled, 11 were under legal review and nine were in the court proceeding.

INSEC documented 28 victims of domestic violence, six of rape, three of Attempt to Rape and three of polygamy. Six accused of rape and three of Attempt to Rape were sent to judicial custody. One accused of rape was sent to child rehabilitation centre and four were absconding till the end of 2021. One accused of polygamy was sent to judicial custody and one was sent to jail for one year and was fined NPR 10,000 and one was in custody till the end of 2021.

Rape, Attempt to Rape and Sexual Abuse

A complaint was filed against a 13-year-old at the District Police Office on February 4, 2021, alleging that he had raped a seven-year-old girl on February 3. The health checkup of the victim was conducted at Dhaulagiri hospital on February 4. The accused was arrested on February 4. Police registered a case against the accused on February 14. The accused was remanded to the child rehabilitation centre on February 23. The accused was proven partially guilty and was sentenced to the child rehabilitation centre for six months. He was also charged NPR 30,000 as compensation to the victim.

HEALTH SERVICES

The district has a government hospital, two community hospitals, 58 health posts, 15 municipal health centers, three primary health centers, and 18 community health units. The government hospital had vacant positions for 15 specialist doctors and 20 staff nurses.

The foundation of six local level hospitals was laid on November 30, 2020. Among them, Baglung Municipality, Badigad Municipality, and Tarakhola Rural Municipality had started the construction work. Construction work was going on at Nishikhola Rural Municipality is in the final stage of the bidding process and the construction work of Bareng Rural municipality was on hold due to budget obstruc-

tion. The construction of Tamankhola Rural Municipality has not started because of location issues.

According to the statistics of the Directorate of Health, Gandaki Province 6,896 were diagnosed with COVID-19 in the district and among them, 82. There were 86,892 fully vaccinated people in the district.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Child Trafficking			1	1
Rape	1	1	6	8
Sexual Abuse			4	4
Total	**1**	**1**	**11**	**13**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence		19	1	8	28
Polygamy	1			2	3
Rape			2	4	6
Attempt to Rape				3	3
Total	**1**	**19**	**3**	**17**	**40**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	5	5

Lumbini Province

- Area: 19,737 sq.km.
- Population: 51,24,225
- 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

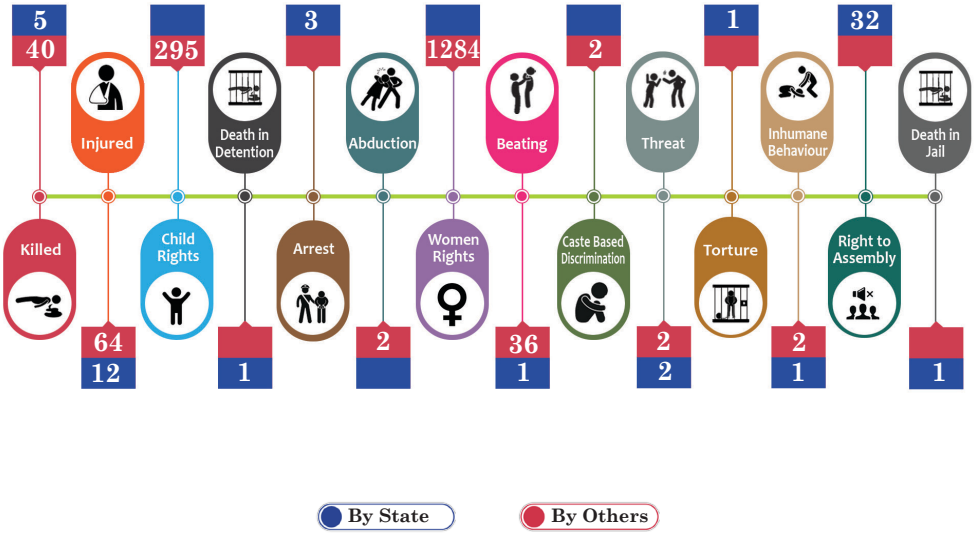
Introduction: Lumbini Province

The government of Lumbini Province adopted the policy of prosperous Lumbini and self –relied province. Sixty-one laws were promulgated till the end of 2021 by the provincial assembly including the laws relating to child rights and environmental rights. This year, 2,116 houses were handed over through the People's Housing Programme to the targeted population.

The government of Lumbini Province established a COVID-19 dedicated hospital for ensuring the treatment of the infected persons. This year, 2,393 person died among the diagnosed persons with COVID-19. Thirty six hospitals are under construction among 50, whose foundation was laid on November 30, 2,020 under the "One Local Government One Hospital Program" of the federal government.

There were 59 victims (two female and 57 male) of Human Rights violations and 1,727 victims (1,613 female and 114 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; one was victim of beating, one was tortured, one each died in jail and detention, three were arrested, 12 were injured, five were killed, two were threatened and 32 were deprived of their right to assembly. Similarly, 295 were victims of Child Rights Violation, 1284 were victims of Women Rights Violation, 36 were victim of beating, two were victims of abduction, 64 were injured, and 40 were victims of killing among the documented victims of abuse.

No. of Victims by Incident (In 2021)



5.1 Rukum East

Total Population	57,962
Women	29,736
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	Not Available
No. of Migrant Workers	Not Available
Population of Disability	Not Available
Literacy above 5 yrs (%)	62.09
Dependent Population	Not Available

There were 13 female victims of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; five were victims of Child Rights Violation, seven were victims of Women Rights Violation and one was a victim of killing.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 10 criminal cases out of 37, and 50 civil cases among 91 that were registered in 2021. There were five cases (three criminal and one civil) exceeding one year.

CHILD RIGHTS

Educational Status

The district has 91 elementary and 25 secondary schools. There were 541 positions for teachers in the district. There were 9,889 girls and 9,504 boys enrolled this year among which 51 girls and 51 boys were with disability. The district has one disability-friendly school. This year, there were no applications for scholarships from the children of conflict-affected families. There were 2,529 boys and 2,526 girls from the Dalit families and among them 1,016 girls and 1,665 boys received scholarships.

INSEC documented five victims of rape among which, four were sent to judicial custody and one was handed over to the parents.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, seven women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which four were victims of beating and three were victims of family dispute. Six of the complaints were reconciled and one was sent to court.

Type of Events		By Others	
		Female	Total
Killing		1	1
Child Rights	Rape	5	5
	Total	**5**	**5**
Women Rights	Domestic Violence	7	7
	Total	**7**	**7**
Grand Total		**13**	**13**

INSEC documented seven victims of domestic violence and all the cases were reconciled.

HEALTH SERVICES

The district has one government hospital, one primary health centre, 15 health posts, 22 health centres and 39 vaccination centres. There were vacant positions of eight specialist doctors. One doctor was hired on contract.

There were 6,388 beneficiaries of health insurance and among which 1,037 were senior citizens.

There were 578 people diagnosed with COVID-19 and among them, 13 died. There were 25,918 people fully vaccinated against COVID-19.

Number of Incident with Status of Legal Proceeding in 2021			
CHILD RIGHTS			
Type of Events	**Legal Proceeding**		**Total**
Rape	4		4
Total	**4**		**4**
WOMEN RIGHTS			
Type of Events	**Compromise**	**Legal Proceeding**	**Total**
Domestic Violence	6	1	7
Total	**6**	**1**	**7**
Number of Incident			
Type of Events	**Legal Proceeding**		**Total**
Killing	1		1

5.2 Rolpa

Total Population	2,36,226
Women	1,25,260
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	57,504
No. of Migrant Workers	23,597
Population of Disability	7,458
Literacy above 5 yrs (%)	98.3
Dependent Population	1,13,903

There were 11 female victims of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; three were victims of Child Rights Violation and eight were victims of Women Rights Violation.

JAIL AND DETENTION

The District Jail had the capacity of holding 50 inmates but there were 111 inmates, including seven female; further, four male inmates were above 60 years of age and two male inmates were patients of mental illness. One health worker was appointed for the regular checkup of the inmates.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated eight criminal cases out of 39 and 56 civil cases among 135 those registered in 2021. There were 34 cases (seven criminal and 27 civil) that had not been adjudicated for over a year. There were 10 employees hired on contract.

CHILD RIGHTS

Educational Status

The district has 73 elementary and 87 secondary schools. There were 1,331 positions for teachers in the district.

INSEC documented three victims of rape and all the accused were sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 47 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which 31 were reconciled, nine were sent to concerned authorities and seven were legal review.

INSEC documented seven victims of rape and one of polygamy. Six accused of rape were sent to judicial custody, one was released on bail of NPR 150,000, four were released on bail of NPR 60,000, and

Type of Events		By Others	
		Female	Total
Child Rights	Rape	3	3
	Total	**3**	**3**
Women Rights	Polygamy	1	1
	Rape	7	7
	Total	**8**	**8**
Grand Total		**11**	**11**

three were released on bail of NPR 30,000. An accused of polygamy was sent to judicial custody.

Rape, Attempt to Rape and Sexual Abuse

A complaint was filed against Durge Bista, 51, of Area Police Office on July 19, 2021, alleging that he had raped a 27-year-old woman on July 17. The health checkup of the victim was conducted at the district hospital on July 19 and the accused was also arrested on the same day. During the investigation, the police arrested ward member, Him Bahadur Bista, 58, Nabin Bista, 43, Pusta Bahadur Bista, 63, Purna Bahadur Bista, 72, Chitra Bahadur Bista, 73, Puste Khadka, 45 and one more on July 20. Police registered a case against the accused at the court on July 28. Him Bahadur Bista was released on bail of NPR 150,000, Nabin Bista, Pusta Bahadur Bista, Durge Bista, Puste Khadka were released on bail of NPR 60,000 while Purna Bahadur Bista, Chitra Bahadur Bista and one more were released on bail of NPR 30,000 and an accused was sent to judicial custody on August 4. After the victim was raped the ward chairperson had tried to reconcile the incident. Therefore, the complaint was filed against those involved in the process of reconciliation. During the process of reconciliation, the accused had accepted his deed and was charged NPR 20,000 as fine. It was discovered that out of that amount NPR 5,000 was allocated for the victim while remaining NPR 15,000 was deposited in a fund of the village. And out of the NPR 5,000 allocated to the victim, NPR 1,100 was allocated as snacks expenditure for those involved in the reconciliation.

HEALTH SERVICES

The district has one government hospital, 49 health posts, five municipal health centres and two primary health posts. There were vacant positions for three specialist doctors and three staff nurses. There were 27,298 beneficiaries of health insurance among them 5,541 were senior citizens.

Number of Incident with Status of Legal Proceeding in 2021				
CHILD RIGHTS				
Type of Events	**Legal Proceeding**		**Total**	
Rape	3		3	
Total	**3**		**3**	
WOMEN RIGHTS				
Type of Events	**Compromise**	**Investigation**	**Legal Proceeding**	**Total**
Polygamy			1	1
Rape	1	1	5	7
Total	**1**	**1**	**6**	**8**

5.3 Pyuthan

Total Population	2,31,848
Women	1,27,385
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	72,791
No. of Migrant Workers	36,858
Population of Disability	5,930
Literacy above 5 yrs (%)	97.77
Dependent Population	1,19,361

There were 42 victims (27 female and 15 male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; seven were victims of Child Rights Violation, 20 were victims of Women Rights Violation, 12 were victims of beating, and three were victims of killing.

CLASH/BEATING

Krishna Basel, 28, of Swargadwari Municipality-6, District Vice-chairperson of *Tarun Dal* affiliated to Nepali Congress, Kamal Gharti Magar, 24, of Swargadwari Municipality-1, Kuber Pun, 26, Binod Rijal, 23, Shreedhar KC, 25, Bijay Rijal, 25, Ghanashyam KC, 25, Padam KC, 24 of Naubahini Rural Municipality-6 and Khemraj Pandit, 55, of Pyuthan Municipality-7 were injured in a clash between Nepali Congress cadres at Swargadwari Multiple Campus in Pyuthan Municipality-7 on November 23, 2021. Basanta Pandit, Sub Inspector of the Armed Police Force, Chandra Bahadur Gahamagar, Police Constable, and Gopal GC, 34, of Jhimruk Rural Municipality-4 were injured in the incident. On November 24, 2021, Krishna Basel, Bijay Rijal, Chandra Bahadur Gahamagar were treated at Bhairahawa Medical College of Rupandehi and Basanta Pandit, was treated at Lumbini Province Hospital of Rupandehi. Other victims were treated at the District Hospital, Bijuwar on November 23, 2021.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but there were 80 inmates, including 10 females. The inmates had access to drinking water, toilet, newspaper, radio, television, volleyball, board games, and arrangement of the library. One position of Senior Assistant Health Worker was vacant.

Type of Events		By Others		
		Female	Male	Total
Beatings			12	12
Killing			3	3
Child Rights	Rape	4		4
	Sexual Abuse	3		3
	Total	**7**		**7**
Women Rights	Domestic Violence	15		15
	Rape	3		3
	Attempt to Rape	1		1
	Sexual Abuse	1		1
	Total	**20**		**20**
Grand Total		**27**	**15**	**42**

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 40 criminal cases out of 58, and 287 civil cases among 425 that were registered in 2021. There were no criminal cases exceeding one year, whereas 138 civil cases were yet to be adjudicated.

CHILD RIGHTS

Educational Status

The district has 397 elementary and 81 secondary schools. There were 1,509 positions for teachers in the district out of which two were vacant. There were 41,145 girls and 40,175 boys enrolled in 2021. Among which 306 girls and 266 girls were disabled. There were 285 disability-friendly schools. A total of 10,414 girls and 9,959 boys from Dalit families had received scholarships. Fourteen children from the families of migrant workers and eight children from conflict-affected families received scholarships.

INSEC documented four victims of rape and three of sexual abuse. One accused of rape was sent to judicial custody, two minor accused were sent to the child rehabilitation centre and one was not arrested till the end of 2021. One accused of sexual abuse was sentenced to jail and another was sent to judicial custody.

Rape, Sexual Abuse

A complaint was filed against Manoj Shahi, 29, of Mallarani Rural Municipality-4 at the District Police Office on June 16, 2021, alleging that he had sexually abused a six-year-old girl on June 16. The health checkup of the victim was conducted at District Hospital, Bajura on June 16. The accused was arrested by the police on June 16, from his residence. Police registered a case against the accused in the District Court of Pyuthan on July 19. The accused was remanded to judicial custody on July 19. The accused was found guilty on August 10 and was sentenced to jail for two years and six months. He was charged a fine of NPR 25,000 and compensation of NPR 15,000. He was also asked to deposit NPR 600 in the victim relief fund.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 46 women filed complaints of domestic violence at the Women, Children, and Senior Citizens' Service Centre. Among which 19 were the victims of beating, 17 of deprivation of food and clothes, and 10 of a general domestic dispute. Among which 35 were reconciled, 10 were under legal review, and one victim of the domestic dispute was out of contact.

INSEC documented 15 victims of domestic violence, three of rape, one of Attempt to Rape and one sexual abuse. Three accused of rape were sent to judicial custody. One accused of Attempt to Rape was sentenced to jail and one of sexual abuse was sent to judicial custody.

Rape, Attempt to Rape and Sexual Abuse

A complaint was filed against Hari Bhaiya Magar, 29, of Sarumarani Rural Municipality-3 at the District Police Office on September 7, 2021, alleging that

he had attempted to rape a 30-year-old woman on September 6. The health check-up of the victim was conducted at District Hospital, Bajura on September 7. The accused was arrested by the police on September 7. Police registered a case against the accused in the District Court on September 16. The accused was remanded to judicial custody on September 16. The accused was found guilty on November 11 and was sentenced to jail for three years.

HEALTH SERVICES

The district has one government hospital, one community hospital, 46 health posts, and two primary health centres.

There were vacant positions seven specialist doctors. There were 44,139 beneficiaries affiliated with health insurance among which 4,915 were senior citizens, 261 were people with full disability, and 16,357 were from needy families.

The construction work of the hospital in Mandavi Rural Municipality, Airavati Rural Municipality, and Mallarani Rural Municipality didn't started till the end of 2021. The hospitals in these local levels were planned to be of 25 bedded.

This year 3,060 people were diagnosed with COVID-19 and among them, 71 died. There were 57,670 people fully vaccinated against COVID-19.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Rape		1	3	4
Sexual Abuse	1		2	3
Total	**1**	**1**	**5**	**7**

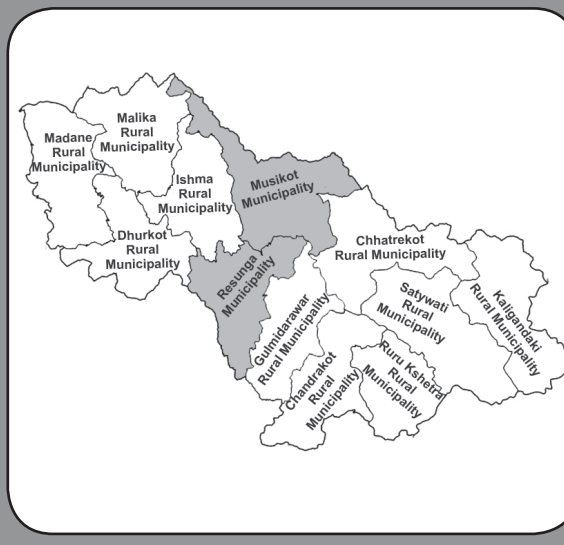
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Legal Proceeding	Total
Domestic Violence		15		15
Rape			3	3
Attempt to Rape	1			1
Sexual Abuse			1	1
Total	**1**	**15**	**4**	**20**

Number of Incidents

Type of Events	Investigation	Legal Proceeding	Total
Killing	1	2	3

5.4 Gulmi



Total Population	2,46,836
Women	1,34,048
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	71,369
No. of Migrant Workers	58,561
Population of Disability	7671
Literacy above 5 yrs (%)	72.6
Dependent Population	1,29,224

There were 81 victims (78 female and three male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuse; 11 were the victims of Child Rights Violation, 63 were the victims of Women Rights Violation, four were victims of beating and three of killing.

JAIL AND DETENTION

The District had Jail has the capacity of holding 25 inmates but there were 72 inmates, including eight inmates. There were two inmates above the age of 65. Due to overcrowding in the jail, inmates had to wait for hours to use the toilet and the jail building was vulnerable. All the employees and inmates in the jail were vaccinated.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 16 criminal cases out of 40, and 116 civil cases among 204 that were registered in 2021. There were two civil cases that had not been decided for over two years. There were 189 cases that had been carried over from last year.

CHILD RIGHTS

Educational Status

The district has 420 elementary and 145 secondary schools and 24 community teaching centres, three Madarasa schools and one Gurukul. There were 34,839 girls and 34,939 boys enrolled in 2021. There were 9,314 girls and 10,189 boys from Dalit families and 1,008 children with disabilities enrolled in the schools. The district had 37 disability-friendly schools. Eight children from conflict-affected families had received scholarships.

INSEC documented ten victims of rape and one of sexual abuse. Eight ac-

cused of rape were sent to judicial custody, one was handed over to the parents on general date and one was released on bail of NPR 150,000. One accused of sexual abuse was sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 48 women filed their complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which 34 were reconciled, 10 were sent to court and four under legal review.

INSEC documented 56 were victims of domestic violence, three were victims of rape, two of Attempt to Rape s and two of polygamy. Two accused of rape and two of Attempt to Rape were sent to judicial custody. Two accused of polygamy were sentenced to jail for one year and three months and were fined NPR 15,000 each and the marriage was annulled. Likewise, two other accused were in custody for investigation.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Destruction of Property

An unidentified group of people sabotaged the ward office of Malika Rural Municipality-7 on the night of January 21, 2021. Two rooms of the office along with CCTV were damaged and a laptop was stolen.

An unknown group of people damaged the Banana farm situated in four *ropani* (21,905 square feet) land of Mumanand Lamsal, 45 of Malika Rural Municipality-7 on the night of January 11. A complaint was filed by the victims at the ward office and police station on January 12. People under suspicion were taken for investigation.

HEALTH SERVICES

The district has one government hospital, 79 health posts, four primary health centres, 30 community health units, three municipal health centres and 11 elementary health service centres. There were vacant positions for four specialist doctors, 56 staff nurses and auxiliary nurse-midwives and 89 paramedics.

Type of Events		By Others		
		Female	Male	Total
Beating		3	1	4
Killing		1	2	3
Child Rights	Rape	10		10
	Sexual Abuse	1		1
	Total	**11**		**11**
Women Rights	Domestic Violence	56		56
	Polygamy	2		2
	Rape	3		3
	Attempt to Rape	2		2
	Total	**63**		**63**
Grand Total		**78**	**3**	**81**

There were 75,500 beneficiaries of health insurance among which 12,708 were senior citizens.

Fifteen million worth of oxygen plant and physical infrastructures were built in Gulmi District Hospital in the coordination between Nepal Government, Federation of Nepali Journalists (District Branch of Gulmi) and Gulmi Federation of Nepalese Chamber of Commerce and Industry. Gulmi hospital received 20 oxygen concentration machines and 130 oxygen cylinders in the form of donation. Similarly, one and 15 million worth of COVID-19 test lab was built in the coordination of all local levels. Construction work of 15-bedded hospitals was going on at 11 local levels. The foundation of these hospitals was laid on November 30, 2020.

This year 6,895 people were diagnosed with COVID-19 and among them, 97 died.

Number of Incident with Status of Legal Proceeding in 2021					
CHILD RIGHTS					
Type of Events		**Legal Proceeding**		**Total**	
Rape		10		10	
Sexual Abuse		1		1	
Total		**11**		**11**	
WOMEN RIGHTS					
Type of Events	**Closed Case**	**Compromise**	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence		50		5	55
Polygamy	1		1		2
Rape				3	3
Attempt to Rape				2	2
Total	**1**	**50**	**1**	**10**	**62**
Number of Incidents					
Type of Events		**Closed Case**	**Legal Proceeding**	**Total**	
Killing		1	2	3	

5.5 Arghakhanchi

Total Population	1,77,200
Women	96,187
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	56,739
No. of Migrant Workers	39,929
Population of Disability	5,165
Literacy above 5 yrs (%)	72.6
Dependent Population	91,824

There were two male victims of Human Rights violation who were beaten and 13 victims (ten female and three male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; one was the victim of Child Rights Violation, five were the victims of Women Rights Violation, two were victims of beating, and five were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but there were 57 inmates, including four female. The jail had the provision of a library and newspapers.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 14 criminal cases out of 64 and 71 civil cases among 174 that were registered in 2021. There were 153 cases that had not been decided for over a year.

CHILD RIGHTS

Educational Status

The district has 348 elementary and 87 secondary schools. There were 1,387 positions for teachers in the district out of which 603 were vacant. There were 26,988 girls and 15,378 boys enrolled in the schools including 7,228 girls and 7,480 boys from Dalit families. There were 146 disability-friendly schools in the district. Seven children from conflict-affected families and 31 children of migrant workers received scholarships.

INSEC documented one victim of rape and the accused was sentenced to life imprisonment.

Rape, Sexual Abuse

A complaint was filed against Dan Bahadur Suryabanshi Magar, 21, of Padini Rural Municipality-5 at the District Police Office on January 21, 2021, alleging that he had raped a five-year-old on January 20. The health checkup of the victim

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		2	2			
Beating					2	2
Killing				4	1	5
Child Rights	Rape			1		1
	Total			**1**		**1**
Women Rights	Attempt to Trafficking			1		1
	Domestic Violence			1		1
	Polygamy			2		2
	Rape			1		1
	Total			**5**		**5**
Grand Total		**2**	**2**	**10**	**3**	**13**

was conducted at the district hospital on January 20. The accused was arrested on January 21. Police registered a case against the accused at the district court on February 11. He was proven guilty on July 8 and sentenced to life imprisonment and charged NPR 600,000 as a fine and NPR 40,000 compensation.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 88 women filed complaints of domestic violence among which 72 cases were reconciled, six accused were out of contact, nine complaints were taken to the court and one case was sent to the local level.

INSEC documented one victim of domestic violence, one victim of rape, two of polygamy and one of an attempt to trafficking. The accused of rape and attempted trafficking were sent to judicial custody and the accused of polygamy were released on general date.

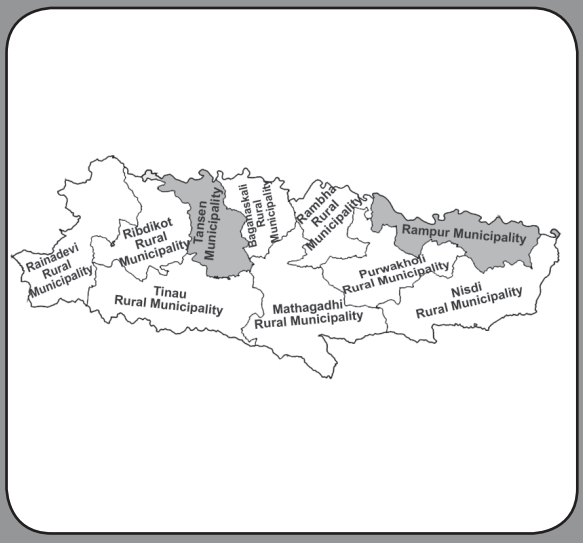
HEALTH SERVICES

The district has one government hospital, one community hospital, 39 health posts, and two primary health centres. There were vacant positions for eight specialist doctors and five staff nurses.

This year 7,012 were diagnosed with COVID-19 and among them, 102 died. There were 110,701 people fully vaccinated against COVID-19.

Number of Incident with Status of Legal Proceeding in 2021		
CHILD RIGHTS		
Type of Events	**Closed Case**	**Total**
Rape	1	1
Total	**1**	**1**
WOMEN RIGHTS		
Type of Events	**Legal Proceeding**	**Total**
Attempt to Trafficking	1	1
Domestic Violence	1	1
Polygamy	2	2
Rape	1	1
Total	**5**	**5**
Number of Incidents		
Type of Events	**Legal Proceeding**	**Total**
Killing	5	5

5.6 Palpa



Total Population	2,42,423
Women	1,30,483
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	55,910
No. of Migrant Workers	38,504
Population of Disability	6,537
Literacy above 5 yrs (%)	76.2
Dependent Population	1,10,597

There were one male victim of Human Rights violation who died in custody and 67 victims (66 female and one male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuse; 11 were the victims of Child Rights Violation, 53 were the victims of Women Rights Violation, and three were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 325 inmates but there were 293 inmates, including 43 female and eighteen male inmates above the age of 60 years. There were two dependent children in the jail. One health worker was appointed for the regular checkup of the inmates. The jail had separate buildings for male and female. There were 16 inmates with mental and 29 with chronic illness.

Death in Custody

Kishan Gurung, 30, of Bhirkot Municipality-7, Syangja, committed suicide by hanging himself in the toilet of Palpa District Jail on April 19, 2021. Gurung was transferred from the District Jail of Syangja to the District Jail of Palpa in 2020. The postmortem of the body was done at the District Hospital on April 19 and the body was handed over to the family.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 93 criminal cases out of 142, and 359 civil cases among 546 that were registered in 2021. There are 203 cases (16 criminal and 187 civil) that had exceeded one year.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Death in Jail		1	1			
Killing				2	1	3
Child Rights	Child Marriage			1		1
	Rape			10		10
	Total			**11**		**11**
Women Rights	Domestic Violence			48		48
	Rape			5		5
	Total			**53**		**53**
Grand Total		**1**	**1**	**66**	**1**	**67**

CHILD RIGHTS

Educational Status

The district has 356 elementary and 137 secondary schools. There were 2,837 positions of teachers among which 28 were vacant. This year 37,130 girls and 34,713 boys were enrolled in the schools among which 885 girls and 727 boys were with disability. There were four disability-friendly schools in the district. This year, 10,157 girls and 9,986 boys from Dalit families received scholarships. Forty children from conflict-affected families and forty children from the family of migrant workers received scholarships. The district had 345 schools disability friendly buildings under construction.

INSEC documented ten victims of rape and all the accused were sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 50 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which 43 cases were reconciled and seven were sent to court.

INSEC documented 48 victims of domestic violence, five of rape. Three accused of rape and one of Attempt to Rape was sent to judicial custody. A minor accused of rape was sent to the child rehabilitation centre.

Killed by Family Members

A complaint was filed against Buddhi Darai, 59, of Rampur Municipality-5 at the District Police Office on January 17, 2021 alleging that he had killed his wife Rama Kumari Darai, 57, on January 16. Buddhi had brutally beaten his wife on January 16 after a family dispute. January 16. She died on January 17 while undergoing treatment. The postmortem of the body was conducted at the district hospital on January 17. The accused was arrested by the police team deployed from the Area Police Office on January 17. Police registered a case against the accused at the court on February 14 and he was remanded to judicial custody on the same day. The case was not decided till the end of 2021.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Damage of Infrastructure and Property

An unidentified group sabotaged the ward office of Rainadevi Chhahara Rural Municipality-4 and the office of Kalika Higher Secondary School, Women's Cooperative, Post Office, Office of Agricultural Cooperative and the shop of Netra Bahadur Karki in Mujung Tole on July 1, 2021. According to the Chairperson of Rainadevi Chhahara Rural Municipality Ram Bahadur Karki, the vandalization caused damage worth NPR One Million. A team from the District Police Office had arrived at the incident spot to investigate the incident and search for those involved in the incident.

HEALTH SERVICES

The district has two government hospitals, one Ayurvedic hospital, 62 health posts, two primary health centres and five municipal health centres. There were vacant positions for 16 doctors. Three doctors were hired on contract.

There were 2,17,032 people with health insurance among which 10,840 were senior citizens.

The foundation of the local level hospitals at Mathagadi Rural Municipality, Purwakhola Rural Municipality and Nisdi Rural Municipality was laid on November 30, 2020. However, the construction work had started only at Purwakhola Rural Municipality.

There were 10,704 diagnosed with COVID-19 and among them, 268 died.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Legal Proceeding	Total
Child Marriage	1	1
Rape	10	10
Total	**11**	**11**

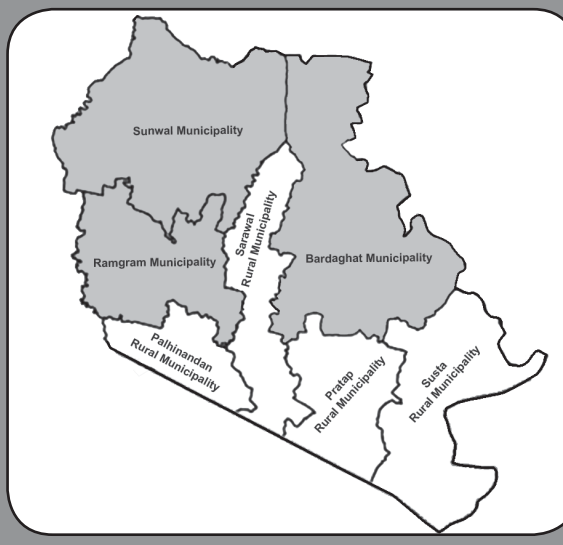
WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	37	3	8	48
Rape			5	5
Total	**37**	**3**	**13**	**53**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	3	3

5.7 Nawalparasi West



Total Population	3,85,515
Women	1,97,439
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	Not Available
No. of Migrant Workers	Not Available
Population of Disability	Not Available
Literacy above 5 yrs (%)	70.76
Dependent Population	Not Available

There was one male victim of Human Rights violation who was killed and 117 victims (109 female and eight male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 29 were the victims of Child Rights Violation, 78 were the victims of Women Rights Violation, two were victims of abduction, two were victims of beating and five were victims of killing.

KILLING

By State

Abhinash Rajbhar, 22, of Pratapur Rural Municipality-6 was dead in shot by the Armed Police Border Security Force near Nepal-India border in Susta Rural Municipality-5, Banakatti on May 19, 2021. The victim's brother Bipin Rajbhar had called his brother Abhinash after the security personnel did not allow him to go to Nepal after buying medicine and clothes for his father from India as the security personnel was having a clash with the businessman from Susta, Banakatti. When Abhinash asked why his brother was stopped, security personnel fired a gun questioning him if he was a goon, which resulted in the death of Abhinash. Postmortem of the body was conducted at the district hospital on May 20. According to the chief district officer, security personnel were compelled to fire the gun in self-defense after hundreds of people gathered in the border and started using force against them while they were restricting the people from cross the border and enter to India amid lockdown. Security personnel including Shankar Budathoki, 42, Bishal Gaire, 24, Abhiyan Thapa, 23, Binod Pun, 22 and Tikaram Sinjali, 23 had injured during the incident.

JAIL AND DETENTION

The District Jail had the capacity of holding 175 inmates but there were 461 inmates including 192 prisoners and

269 detainees in the jail. The jail had 69 female prisoners. There were two dependent children. One position of a doctor was vacant. There were six inmates with mental and 17 with chronic illness. The jail had nine inmates including six male and three female above the age of 60. Seven inmates were diagnosed with COVID-19. The jail was overcrowded and had scarcity of drinking water.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with five judges had adjudicated 139 criminal cases out of 457, and 571 civil cases among 1,369 that were registered in 2021. There were 321 cases (122 criminal and 199 civil) that had not been decided for over one year, among which one was a habeas corpus writ. Two positions were vacant in the court.

CHILD RIGHTS

Educational Status

The district has 217 elementary and 119 secondary schools. There were 1,293 positions for teachers in the district. There were 38,546 girls and 40,569 boys enrolled in the schools this year including 6,523 Dalit girls and 6,014 Dalit boys. There were 205 disability-friendly schools in the district. Thirteen children from conflict-affected families, 82 children from the families of migrant workers and one child from Martyr's family had received scholarships.

INSEC documented 22 victims of rape, two girls and three boys victims of sexual abuse and two of trafficking. Two accused of sexual abuse were sent to judicial custody while one was handed over to the parents and two minor accused were sent to the child rehabilitation centre, two accused were released on a bail of NPR 20,000 and NPR 10,000 respectively and the accused remained in the custody for investigation till the end of 2021. Sixteen accused of rape were sent to judicial custody and three minor accused were sent to the child rehabilitation centre. One accused of trafficking was sent to judicial custody.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Abduction				1	1	2
Inhumane Behaviour					1	1
Killing		1	1	3	2	5
Beating				1	1	2
Child Rights	Child Trafficking			2		2
	Rape			22		22
	Sexual Abuse			2	3	5
	Total			**26**	**3**	**29**
Women Rights	Domestic Violence			54		54
	Witchcraft Alllegation			1		1
	Polygamy			10		10
	Rape			9		9
	Attempt to Rape			3		3
	Sexual Abuse			1		1
	Total			**78**		**78**
Grand Total		**1**	**1**	**109**	**8**	**117**

Abduction

A complaint was filed against Ramkalesh Chamar, 27, Manoj Harijan, 21, Kamala Harijan, 25 and Sonu Chamar, 33 of Pratappur Rural Municipality-4 at Area police office, Belatari on April 18, 2021, then again at District Police Office on July 12 and again at Area Police Office on October 4 alleging that they had abducted a 17-year old girl from her residence on March 30. Police arrested Ramkalesh Chamar and Sonu Chamar on October 5. District court had released them on bail of NPR 50,000 each on October 31. The whereabouts of Kamala Chamar and Manoj Chamar were unknown till the end of 2021. According to the father of the victim, the situation of the victim was unknown. The case had not been decided till the end of this year.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 127 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service

Centre among which, 54 were deprived of food and cloth, four were deprived of citizenship and birth registration, 39 were misbehaved after consumption of alcohol and 30 were insulted by other family members.

INSEC documented 54 victims of domestic violence, nine of rape, one of sexual abuse, three of Attempt to Rape , 10 of polygamy, and one of witchcraft allegation. Two accused of Attempt to Rape were released on bail of NPR 30,000 and NPR 20,000 respectively and one was released on general date. Three accused of rape were sent to judicial custody, two were released on bail of NPR 30,000 each and one was released on bail of NPR 250,000. Two were not arrested till the end of 2021, while three were in custody for investigation. Eleven accused of polygamy were sent to judicial custody and two were released on bail of NPR 50,000 and NPR 120,000 respectively. Five accused were not arrested till the end of 2021 and one was under investigation.

HEALTH SERVICES

The district has three government hospitals, one community hospital, 44 health posts, two primary health centres, and three municipal health centres. There was one COVID hospital at each local level, however, those hospitals were not functional. There were vacant positions for four specialist doctors and two staff nurses. Out of four positions of auxiliary nurse midwives, two were hired on contract.

There were 14,000 beneficiaries of health insurance. Although free insurance has been ensured to senior citizens, only the senior citizens from minority groups and with disabilities had been enrolled under this scheme.

A 35-year-old COVID patient from Ramagram Municipality-9 died due to the unavailability of oxygen and bed in the hospital. He was admitted to Prithivi Chandra District Hospital on April 23, 2021, for initial treatments after experiencing difficulty in breathing. He was then taken to Bhim Hospital, Bhairahawa and COVID hospital of Butwal for further treatment. However, due to the unavailability of oxygen and bed, he lost his life in the course of treatment on April 24.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Child Trafficking		1	1
Rape	1	20	21
Sexual Abuse		5	5
Total	**1**	**26**	**27**

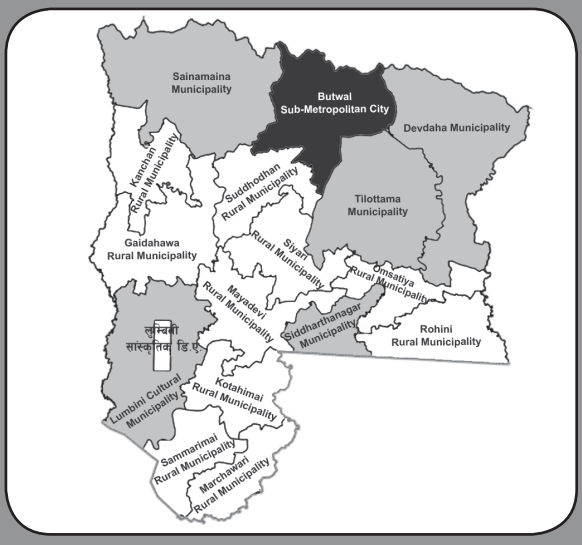
WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	51		2	53
Witchcraft Allegation			1	1
Polygamy		1	9	10
Rape		4	5	9
Attempt to Rape			3	3
Sexual Abuse			1	1
Total	**51**	**5**	**21**	**77**

Number of Incidents

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Killing	1	1	3	5

5.8 Rupandehi



Total Population	11,18,975
Women	5,71,430
No. of Constituency (HoR)	5
No. of Constituency (PA)	10
Below Poverty Level	1,51,171
No. of Migrant Workers	62,904
Population of Disability	9,890
Literacy above 5 yrs (%)	69.8
Dependent Population	3,84,643

There were 17 victims (one female and 16 male) of Human Rights violation and 687 victims (627 female and 60 male) of abuses documented by INSEC in 2021. Among the documented victims of human Rights violations; 12 were injured, four were victims of killing, and one was arrested. Similarly, 58 were victims of Child Rights Violation, 558 were victims of Women Rights Violation, 61 were injured, four were beaten, and six were victims of killing.

KILLING

Birendra Prasad Kurmi, 38, of Sudhodhan Rural Municipality-5, Rupandehi, Yujan Kumal, 18 of Aarungkhola Rural Municipality-8, Nawalparasi East, Ramesh Pariyar, 48, of Bandganga Municipality-10, Kapilvastu, Kesh Narayan Ketwal, 42, of Sarawal Rural Municipality-3, Nawalparasi West were killed by the bullet fired by the police in the clash between the security personnel and squatters occupying the land of Motipur Industrial Area on October 10, 2021.

Junga Bahadur Pariyar, 33 of Gulmi Khaireni, Disha Magar, 35 of Palpa, Prem Bahadur Kurmi, 30 of Palpa, Sarvesh Kewat, 22 of Nawalparasi, Pratappur Rural Municipality-6, Megh Raj Chhetri of Tilotama Munucipality-9, Rupandehi, Shreeschand Kurmi, 50 of Marchwari Rural Municipality-3, Pun Bahadur Priti Gharti, Madan Pokhara Municipality-8, Palpa, Manaroopa Jha, 62 of Omshatiya Rural Municipality, Bishnu Pariyar, 30 of Bardaghat Municipality-6, Samir Thapa, 19 of Tinau Rural Municipality-2, Palpa, Santosh Sunar, 32 of Sainamaina Municipality-8, Megh Bahadur Kumal, 24 of Chhetradev Municipality-2, Adhhakhachi were injured in the incident.

Team of Armed Police force including Bhojraj Sapkota, Rajesh Karki, Rabin Shrestha, Narayan Khanal, Jaya Bahadur Kumal, Rajesh Upreti, Dil-

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Arrest			1	1			
Beatings					3	1	4
Injured		1	11	12	4	57	61
Killing			4	4	5	1	6
Child Rights	Child Trafficking				1		1
	Rape				40		40
	Sexual Abuse				16	1	17
	Total				**57**	**1**	**58**
Women Rights	Domestic Violence				507		507
	Polygamy				8		8
	Rape				28		28
	Attempt to Rape				10		10
	Women Trafficking				5		5
	Total				**558**		**558**
Grand Total		**1**	**16**	**17**	**627**	**60**	**687**

libahadur Gharti, Chudamani Basnet, Dipendra KC, Khushi Ram Chaudhari, Tila Bahadur Dhami, Rudra Bahadur Khatri, Janak Raj Joshi, Rabindra Kumar Gaida, Chuman Singh Thapa, Santosh Basnet, Indrajit Chaudhari, Shambhu Karki, Manoj Rawal, Bashanta GC, Loknath Khanal, Ganesh Rawal, Prem BK, Bimal Thapa, Suraj Sayal, Krishna Bahadur Thapa were injured in the clash. DSP Madan Kuwar, Inspector Chakra Bahadur Damarpal, Sudarshan Panthi, Baburam Ghimire, Sub-inspector Nabin Chalise, Bharat Raj Panthi, Bimala BK, head constable, Jagannath Dangi, constable, Rijan Thapa, Govinda Chaudhari, Bhawindra Pariyar, Binod Pariyar, Anita Kunwar, Surendra Rokaya, Tek Bahadur Palli, Rakesh Yadav, Rajman Lohaniya, Geharaj Pun, Jagbir Pun, Pradip Thakur, Khagendra Yadav, Jaya Prakash Chaudhari, Bharan Gayal Magar, Birendra Sunari, Jharana Pariyar, Lila Oli, Sujan Somare, Bikash Acharya, Manraj Gharti, Ajay Kumar Chhetri, Dipendra Pun, Bhawilal Khamcha, Sudan Acharya, Nilshankar KC, Mahendra Oli and Abhishek Basnet were present in the incident. Constable Jaya Prakash Tharu, 28 and Geharaj Pun Magar were seriously injured and were sent to Kathmandu for further treatment while treatment of the rest of the injured was conducted at local hospitals. According to the District chief of Rupandehi, security personnel were compelled to fire after the locals started throwing pebbles and petrol bombs on the police while police were trying to evacuate the occupied land. Lumbini Province has decided on providing NPR 100,000 each to the family of those who lost their lives in the clash.

JAIL AND DETENTION

The District Jail had the capacity of holding 150 inmates but there were 439 inmates in the jail. There was a lack of enough living space and inmates said they had to wait for their turns to sleep. Due to overcrowding in the jail, skin diseases were seen in the inmates during summer. The inmates had access to library and television.

Child Rehabilitation Centre

The child rehabilitation centre had 108 children including 59 in detention and 49 serving terms. Among which 37 were accused of rape. The living space in the rehabilitation centre was narrow. Most of the children in the centre were of school-going age but they were deprived of education.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

The District Court with eight judges had adjudicated 757 criminal cases out of 993. There were 1,293 cases transferred from last year. There were 586 cases (151 criminal and 435 civil) that had not been decided for over two years.

High Court

The High Court of 11 judges had adjudicated 757 criminal cases out of 993. There were 1,293 cases transferred from last year. There were 993 criminal cases registered in the court this year.

CHILD RIGHTS

Educational Status

The district has 219 elementary and 170 secondary schools. There were 2,872 positions for teachers in the district. There were 1,10,212 girls and 90,610 boys enrolled in the schools in 2021, including 333 girls and 421 boys with disabilities. There were four disability-friendly schools. Twenty-four children of conflict-affected families, 35 of migrant worker families, and one of the Martyr's families received scholarships. A total of 21,662 girls and 23,861 boys from Dalit families were enrolled in the schools.

INSEC documented 40 victims of rape, 17 of sexual abuse and one of trafficking. Thirty-two accused of rape were sent to judicial custody, one was released on bail, six were convicted and three were sent to child rehabilitation centre. Five accused were not arrested till the end of 2021. Ten accused of sexual abuse were sent to judicial custody and two were released on bail. Three accused were sentenced to jail and one accused was not arrested till the end 2021.

Rape, Sexual abuse

Police arrested Madhav Kumar Shrestha, 48, of Siddharthanagar Municipality-3 and Ram Prasad Harijan, 51, of Mayadevi Rural Municipality-8 from their residence on January 27, 2021 in the allegation of raping a nine-year-old girl on January 16. The health checkup of the victim was conducted at Bhim hospital, Bhairahawa on January 26. Ram Prasad Harijan was sentenced for lifetime and Madhav Kumar Shrestha was sentenced to seven years jail term. The accused were charged compensation of NPR 100,00 to the victim and were asked to deposit NPR 2000 and NPR 1,300 in the victim relief fund respectively.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 359 women filed complaints of domestic violence at the Women, Children, and Senior Citizens Service Centre. Among which 270 cases were of beating, 109 of deprivation of food and clothes, 12 of deprivation of marriage registration and citizenship, seven of polygamy, five of dowry and 35 of doubts of illegitimate relationship. Among them, 212 cases were reconciled, 52 were under legal review, 49 cases were transferred to the court, and 31 victims had not followed up on their complaints.

INSEC documented 507 victims of domestic violence, 28 victims of rape, 10 of Attempt to Rape , five of trafficking and eight of polygamy. Six accused of attempt to rape were sent to judicial custody while one was released on bail, two were absconding till the end of 2021 and one was in custody for investigation. Eighteen accused of rape were sent to judicial custody, two accused were sentenced to jail, six accused were absconding till the end of 2021. Two accused of trafficking were sent to judicial custody, two were released on bail and three were absconded till the end of 2021. Two accused were under investigation.

Rape, Attempt to Rape and Sexual Abuse

A complaint was filed against Santosh Rana, 25, and Chhetra Bahadur Thapa, 26, of Sainamaina Municipality-2 at the local police office on June 11, 2021, alleging that he had raped a 38-year-old woman who was grazing cattle in the forest on June 10. The accused were arrested by the police on June 11 from their residence. The health checkup of the victim was conducted at Lumbini provincial hospital on June 11. The accused were found guilty on November 29 and were sentenced to jail for eight years and

were charged the compensation of NPR. 100,000 each to the victim.

Killed by Family Member

A verbal complaint was filed by the locals against Ganesh Pashi, 20, husband of Bandana Pashi, 22, of Lumbini Sanskritik Municipality-5 alleging that he had killed her on November 15, 2021, by beating and accusing her of being in an illegitimate relationship. Police arrested Ganesh from Tenuhawa on November 25. Police had also filed a complaint against Raju Pashi, 25, for being involved in the killing. In the interrogation, the accused stated that his wife died by falling from the stairs. During the process of investigation, police had spotted 12 different injuries in the head of the victim. Postmortem of the body was conducted at Lumbini provincial hospital. The accused was sent to judicial custody by the District Court on December 3. The case was not decided till the end of 2021.

Police arrested Shailesh Kumar Lodh, 34, and his younger brother Rajesh Kumar Lodh, 30, on March 7, 2021, alleging that they had killed Kusum Lodh, 32, of Duvethumuwa in Sammarimai Rural Municipality-5. Kusum was the wife of Shailesh and sister-in-law of Rajesh. The accused had taken Kusum and their 15-month-old child on a motorcycle (Lu 62 Pa 1401) ride to Lumbini Parsa on February 27. Shailesh had told the patrol team of the Area Police Office that was on the way to Jhalaunipur from Patijia Sipwa in Kothimai Rural Municiaplity-1 on Marchwar that his wife was hit by a vehicle numbered (Lu. 2 Ch. 1517) and had robbed her jewellery as well. Kusum was taken to Bhim Hospital, Bhairahawa in the vehicle of the police. The hospital declared her dead. The accused had brought the deceased to the spot with a conspiracy to kill her and had involved his brother as well. Shailesh had stopped his motorcycle with an excuse of urinating. Rajesh had suggested to get a vehicle with an Indian number plate (UP 55 N 8598). Rajesh drove the vehicle and hit Kusum after which she was repeatedly crushed by the vehicle. Shailesh used to beat Kusum and she was killed due to a domestic dispute that took place just a day before the incident. Kusum had subscribed to life insurance. The body was handed over to the family after postmortem at Bhim Hospital, Bhairahawa on February 28. The accused were remanded to judicial custody on March 23. The case was not decided until the end of 2021.

HEALTH SERVICES

The district has one provincial hospital, one district hospital, five primary health centres, 64 sub-health posts, 14 urban health centres, five community units, 226 clinics, 285 vaccination centres, 36 institutions with five kinds of family planning facilities, 28 birthing centres, 13 microscopic centres, 12 nutrition homes, and four newborn corners. There were no health institutions in 70 wards of the districts. The district established one temporary COVID special hospital and one laboratory. There were eight COVID hospitals, two snake bite treatment centre, eight ayurvedic hospitals, 36 elementary health service centres, 16 polyclinics, 156 polyclinic pharmacy, 43 health institutions with laboratory, 89 Tuberculosis centres, and 47 implant centres. There were vacant positions for 21 health workers.

Health insurance was not implemented efficiently in the district and free insurance schemes for senior citizens, needy and vulnerable groups were not easily accessible to them.

This year, 575 died due to COVID-19 in the district. There were 320,200 fully vaccinated people in the district.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Child Trafficking			1	1
Rape	5	3	32	40
Sexual Abuse	3		14	17
Total	**8**	**3**	**47**	**58**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Incomplete	Investigation	Legal Proceeding	Total
Domestic Violence		479	1		27	507
Polygamy				1	7	8
Rape	1			2	24	27
Attempt to Rape					10	10
Women Trafficking					5	5
Total	**1**	**479**	**1**	**3**	**73**	**557**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	8	8

5.9 Kapilbastu

Total Population	6,86,739
Women	3,49,135
No. of Constituency (HoR)	3
No. of Constituency (PA)	6
Below Poverty Level	2,01,772
No. of Migrant Workers	29,792
Population of Disability	7,333
Literacy above 5 yrs (%)	54.9
Dependent Population	2,77,834

There were 285 victims (281 female and four male) of Human rights abuse documented by INSEC in 2021. Among the documented victims of human rights abuses; 44 were victims of Child Rights Violation, 235 were victims of Women Rights Violation, two were injured and four were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 352 inmates but there were 469 inmates among which 31 were foreign Nationals. There were six inmates above 60 years of age. The position of one senior health worker was vacant. Four inmates were infected with COVID-19 and had recovered this year.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with five judges had adjudicated 401 criminal cases out of 671 and 1,502 civil cases among 2,735 that were registered in 2021. There were 127 cases (including 16 criminal and 111 civil) that had not been decided for two years. The court had appointed 78 employees on contract while 34 positions were vacant till the end of 2021.

CHILD RIGHTS

Educational Status

The district has 413 elementary and 144 secondary schools. There were 1,360 positions for teachers in the district out of which 272 positions were vacant. There were 59,274 girls and 62,615 boys enrolled in the schools this year out of which 900 girls and 700 boys were with some form of disabilities. There were 151 disability-friendly schools. This year 7,694 girls and 9,283 boys from Dalit families were enrolled in the schools this year. Sixty children of conflict affected families and 70 children of migrant workers' families had received scholarships.

INSEC documented 29 victims of rape, 12 of sexual abuse including one boy, one of trafficking, one of child labour and one of infanticide. Twelve accused of rape were sent to judicial custody, five were convicted by the court, five were handed over to the guardian, three were sent to the child rehabilitation centre and two were released on bail of NPR 100,000 each. Five accused of sexual abuse were sent to judicial custody, one was sent to the child rehabilitation centre and two were released on the bail of NPR 200,000. Two accused were not arrested till the end of this year.

Rape, Sexual Abuse

A complaint was filed against Tej Narayan Bhandari, 34, of Bandganga Municipality-11 at the District Police Office on January 30, 2021, alleging that he had raped a 14-year-old girl on January 9. The health checkup of the victim was conducted at Kapilvastu District Hospital on January 30. The accused was arrested by the police on January 29 from his residence after a verbal complaint from victim's family. Police registered a case of rape against the accused in the District Court on February 23. The accused was sent to judicial custody on February 23. He was found guilty on June 27 and was sentenced to jail for 12 years and was charged a fine of NPR 400,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 267 women filed complaints of domestic violence among which 30 were victims of beating and eviction from home, 67 of deprivation from food and clothes, four of deprivation from marriage registration and citizenship, five of polygamy, 10 misbehaved due to insufficient dowry and 56 of domestic dispute. Among the registered complaints, 185 cases were reconciled, 11 were sent to the court and 95 were on legal proceedings.

INSEC documented 202 victims of domestic violence, 14 were victims of rape, seven of Attempt to Rape , four of polygamy and eight of trafficking. One accused of rape was sentenced to jail, six were sent to judicial custody, one was released on bail of NPR 100,000, one was released on bail of NPR 75,000, one was released on bail of NPR 50,000, two were not arrested till the end of 2021 and one was in custody for investigation. One accused of attempt to rape was sent to judicial custody, one was released on bail of NPR 250,00, another on bail of NPR 200,000 and one was not arrested till the end of 2021.

Type of Events		By Others		
		Female	Male	Total
Injured			2	2
Killing		3	1	4
Child Rights	Child Labor	1		1
	Child Trafficking	1		1
	Infanticide	1		1
	Rape	29		29
	Sexual Abuse	11	1	12
	Total	**43**	**1**	**44**
Women Rights	Domestic Violence	202		202
	Polygamy	4		4
	Rape	14		14
	Attempt to Rape	7		7
	Women Trafficking	8		8
	Total	**235**		**235**
Grand Total		**281**	**4**	**285**

A complaint was filed against Asgar Ali, 38, of Kapilvastu Municipality-7 at the District Police Office on January 30, 2021, alleging that he had raped an 18-year-old girl on January 27, 2021. The health checkup of the victim was conducted at Kapilvastu Hospital, Taulihawa on January 27. The accused was arrested by the locals from crime scene and handed over to the police on January 27. Police registered a case of attempt to rape against the accused in the District Court on February 21. The accused was sent to judicial custody on February 22. The ac-

cused was found guilty on August 24 and was sentenced to jail for six months.

HEALTH SERVICES

The district has three government hospitals, two elementary hospitals, 72 health posts, two primary health centres, seven municipal health centres, 40 community health units, 17 elementary health service centres, 31 birthing centres, 294 vaccination clinics and 310 clinics. There were vacant positions for five specialist doctors and ten staff nurses.

The foundation of the local level hospitals was laid on November 30, 2020. The 15-bedded hospital in Mayadevi Rural Municipality, 10-bedded hospital in Labani Rural Municiplity and 15-bedded hospital in Yasodha Rural Municipality, however, construction work has been started only in Mayadevi Rural Municipality.

This year 4,170 people were diagnosed with COVID and among them, 182 died. There were 6,60,524 fully vaccinated people in the district.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Child Labor			1	1
Child Trafficking			1	1
Infanticide			1	1
Rape	3	7	19	29
Sexual Abuse	2	2	8	12
Total	**5**	**9**	**30**	**44**

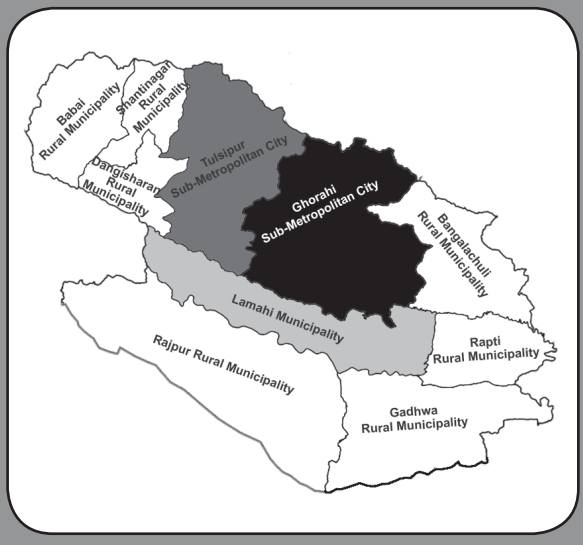
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Incomplete	Investigation	Legal Proceeding	Total
Domestic Violence		194	3	2	3	202
Polygamy				1	3	4
Rape				3	11	14
Attempt to Rape	1			2	4	7
Women Trafficking		2			3	5
Total	**1**	**196**	**3**	**8**	**24**	**232**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	4	4

5.10 Dang



Total Population	6,76,277
Women	3,54,376
No. of Constituency (HoR)	3
No. of Constituency (PA)	6
Below Poverty Level	1,37,255
No. of Migrant Workers	43,160
Population of Disability	12,881
Literacy above 5 yrs (%)	96.8
Dependent Population	2,47,368

There were 38 victims (one female and 37 male) of Human Rights violation and 205 victims (192 female and 13 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; one was a victim of beating, one died in detention, one was a victim of inhumane behaviour, 32 were deprived of their right to assembly, expression and association, two were victims of threatening and one was a victim of torture. Similarly, 65 were victims of Child Rights Violation, 127 were victims of Women Rights Violation, one was injured, three were beaten, one was a victim of inhumane behaviour, two were victims of threatening and six were victims of killing.

JAIL AND DETENTION

Ghorahi Jail

The District Jail had the capacity of holding 70 inmates but there were 299 male inmates. There was a lack of enough living space in the prison. The jail had four buildings including prison and administration. There were six inmates above the age of 60 and two inmates above the age of 70. The inmates had access to drinking water, newspapers, television and leisure activities in the jail. There were 236 fully vaccinated inmates and six of them had received the first dose of vaccine. One senior health officer was posted in the jail for regular health checkups of the inmates.

Tulsipur Jail

The District Jail had the capacity of holding 320 inmates but there were 495 inmates, including 476 male. There were two dependent children in the jail. One old building constructed in 2010 and one new building constructed in 2017 was in use. Twenty-one inmates were above the age of 60 and five were above the age of 70 years. The inmates had access to-

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Beating			1	1		3	3
Death in Detention			1	1			
Inhuman Behaviour		1		1		1	1
Injured						1	1
Killing					4	2	6
Right to Assembly			32	32			
Threats			2	2		2	2
Torture			1	1			
Child Rights	Child Marriage				1		1
	Corporal Punishment				3	1	4
	Infanticide					1	1
	Rape				42		42
	Sexual Abuse				15	2	17
	Total				**61**	**4**	**65**
Women Rights	Domestic Violence				91		91
	Witchcraft Allegation				1		1
	Polygamy				1		1
	Rape				24		24
	Attempt to Rape				9		9
	Women Trafficking				1		1
	Total				**127**		**127**
Grand Total		**1**	**37**	**38**	**192**	**13**	**205**

drinking water, television, newspapers, toilets and leisure activities. The jail had two inmates with mental and 43 with chronic illness. One senior health officer was posted in the jail for checkups of the inmates. All the inmates in the jail were fully vaccinated. Construction work of a new building with the capacity of accommodating 50 female inmates had started.

Death in Detention

Nandaram Oli, 46, of Gangadev Rural Municipality-3, residing at Tulsipur Sub-Metropolitan-6 had died in detention on February 21, 2021. Oli was arrested from his residence on February 20 on the charge of beating his wife Preeti Oli, 34 when he was drunk. He was found in an unconscious state on February 21 and was taken to Rapti Provincial hospital at 7 am where he was declared dead. His health check-up was conducted at Rapti Provincial Hospital on February 20 and it was found that he had consumed alcohol. His first wife, Parwati Oli, 39, protested stating that her husband died due to the negligence of the Police and second wife. Team of INSEC District Representatives along with Human Rights Officers met the victim's families and the police on February 22. Postmortem of the body was conducted on February 22 and the body was handed over to the victim's family. Further investigation of the incident was not conducted till the end of this year.

INHUMANE BEHAVIOUR

By Others

A complaint was filed against Sarjan Pariyar, 27, Diwas Chherti, 25, Ganesh Khadka, 26 and Dilli Dangi, 24 at local police station, Tulsipur on August 27, 2021, alleging that they had misbehaved with Dr. Binod Singh, 52, the Medical Superintendent of Rapti Provincial Hospital, Tulsipur by rubbing soot on his face at his own workplace on August 27, 2021. Police arrested Dilli Dangi and Ganesh Khadka among the accused from their residence on August 30 while Sarjan Pariyar and Diwas Chhetri appeared before the police station on their own on August 31. A hunger strike was started by Sarjan Pariya and Diwas Chhetri on August 31 in the jail demanding an effective investigation on Rapti Provincial Hospital alleging that the hospital is not providing efficient treatment to the patients and patients are transferred to the private hospitals or outside the district even for minor treatments. Police registered the case of inhumane behaviour against the accused on September 26. Dilli Dani was sent to judicial custody and Sarjan, Di-

was and Ganesh were released on the bail amount of NPR 50,000 each. Dilli Dangi filed an appeal at the high court, Tulsipur against the decision of the district court. The high court dismissed the decision of district court and released them on the bail amount of NPR 50,000 on October 28. The case wasn't decided till the end of 2021.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

The district court with three judges had adjudicated 339 criminal cases out of 1,893 and 746 civil cases out of 1,099 that were registered in 2021. There were 1,782 cases that had been transferred from last year. There were 165 cases that had not been decided for one year and six months.

High Court

The High Court with five judges had adjudicated 145 criminal cases out of 350, 21 civil cases among 140 and 29 writs among 66 that were registered in 2021. There was one case that had not been decided for two years and 20 cases that had not been decided for one year. Two positions were vacant in the court.

CHILD RIGHTS

Educational Status

The district has a total of 115 community schools including 310 elementary and 104 secondary schools and 233 Organizational schools including 104 elementary and 129 secondary schools. There were 2,534 positions for teachers in the district. There were 11 religious schools. Two open schools, five skill-oriented classes, 32 community learning centres and 618 pre-primary classes were running in the district. There were 56,118 girls and 51,462 boys enrolled in the community schools this year and 34,499 girls and 46,938 boys were enrolled in organizational schools among which 956 girls and 779 boys were with disabilities. Similarly, 20 children from the family of the conflict victims and 75 children of migrant workers received scholarships.

INSEC documented 42 victims of rape, 17 of sexual abuse, one of child marriage, four of corporal punishment and one of infanticide. Twenty accused of rape were sent to judicial custody, four were sentenced to jail, five accused were handed over to the parents, two were sent to the child rehabilitation centre, two were in custody for investigation, two were sent to judicial custody, and four weren't arrested till the end of 2021. Two were released on bail of NPR 1,50,000 and NPR 100,000 respectively. One accused was not identified till the end of 2021 and one case wasn't sent for legal proceedings as the victim denied doing so.

Three accused of sexual abuse were sent to judicial custody while two were released on the bail amount of NPR 40,000. One accused was released on the bail amount of NPR 100,000 and one was released on general date. One victim changed their statement and asked police not to send the case on legal proceedings, two accused were not identified and three were not arrested till the end of 2021.

Rape, Sexual Abuse

A complaint was filed against a 31-year-old victim's father, at District Police Office on January 17, 2021, alleging that he had raped his nine-year-old daughter on January 1. The health checkup of the victim was conducted at Rapti Academy of Health Sciences on January 17. The accused was arrested by the police on January 17 from his residence. Police registered a case of incest against the accused on February 10. The accused was sent to judicial custody on ….. The accused was found guilty on September 13 and was sentenced to lifetime imprisonment and was charged a compensation of NPR 150,000.

A complaint was filed against Suklal BK, 25 of Kapurkot Rural Municipality-3 at Local police Office on July 25, 2021

alleging that he had raped a 19-year-old girl on July 23. The health check-up of the victim was conducted at Rapti Provincial Hospital, Tulsipur on July 26. The accused was arrested by police on July 26 from Tulsipur. Police registered the case of rape against the accused on September 12. After the change in statement of victim, a case of breach of public peace was filed against the accused on September 30. The accused was found guilty on September 30 and was sentenced for 11 days and was charged a fine of NPR 6,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 284 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which 220 cases were reconciled, 64 cases referred to court, 27 were reconciled with an assurance of providing birth and marriage registration, 22 cases of eviction from home were resettled, 93 cases of beatings and 139 cases of domestic violence were reconciled and 35 cases of polygamy were sent to the court.

INSEC documented 91 victims of domestic violence, 24 of rape, nine of Attempt to Rape, one of polygamy, one of witchcraft allegation and one of trafficking. Thirteen accused of rape were sent to judicial custody, two were sentenced to jail, three accused were released on bail of NPR 100,000, and one was released on NPR 1,50,000. One accused was not identified and one wasn't arrested till the end of 2021. One accused of Attempt to Rape was sentenced to jail and three were sent to judicial custody. One accused was not arrested till the end of 2021. Two accused were released on bail of NPR 100,000 and one on NPR 50,000. Proceedings in two cases were stopped after the victim's decision of not taking it ahead.

Rape, Attempt to Rape and Sexual Abuse

A complaint was filed against Sukalal BK, 25, of Kapurkot Rural Municipality-3 at the Area Police Office on July 25, 2021, alleging that he had raped a 19-year-old girl on July 23. The health checkup of the victim was conducted at Rapti Provincial Hospital on July 26. The accused was arrested on July 26. Police registered a case against the accused at the court on September 12. The victim changed her statement on September 30 after which the case of rape was converted into an Offence against Public Peace and Order. The accused was found guilty on September 30 and was sentenced to jail for 11 days. He was also fined NPR 6,000.

Attempt to Rape

A complaint was filed against Kamal BK, 26, of Rajpur Rural Municipality-7 at Local police office on June 6, 2021 alleging that he had attempted to rape a 30-year-old woman on June 6. According to the victim, the accused attempted to rape her by calling her to settle the domestic dispute. The health checkup of the victim was conducted at Lamahi Hospital on June 6. The accused was arrested on October 1 from his home. Police registered a case of an Offence against public Peace and Order against the accused on October 9. The accused was sentenced to jail for 13 days and charged a fine of NPR 4,000 on October 10.

HEALTH SERVICES

The district has two provincial hospitals, six hospitals, two district hospitals, 35 health posts, 35 birthing centres, 34 municipal health centres, 19 community health units, 24 elementary health centres, one COVID PCR lab, 48 DOTS centres, 32 health institutions with laboratories and 126 clinics. There were vacant positions for three health workers, one

Medical Superintendent, four Ayurvedic doctors, two medical officers, one ENT specialist and one pathologist. Fifteen medical officers, 81 paramedic and 108 staff nurses were hired on contract.

There were 15,347 people with health insurance. There were 5,582 senior citizens, 801 people with disabilities, and 139 HIV patients were enrolled in the free health insurance.

Despite the initiation of the construction of 15-bedded hospitals in Ghorahi Sub-Metropolitan City, Rapti Rural Municipality, Babai Rural Municipality and Dangisaran Rural Municipality on November 30, 2020, the hospitals weren't in operation yet. A health post in Bangchuli Rural Municipality was converted into a hospital.

There were 13,023 people diagnosed with COVID-19 and among them, 279 died. There were 1,53,749 people fully vaccinated in the district.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Child Marriage	1					1
Corporal Punishment		2				2
Infanticide			1			1
Rape	4		5	32	1	42
Sexual Abuse			6	8	1	15
Total	**5**	**2**	**12**	**40**	**2**	**61**

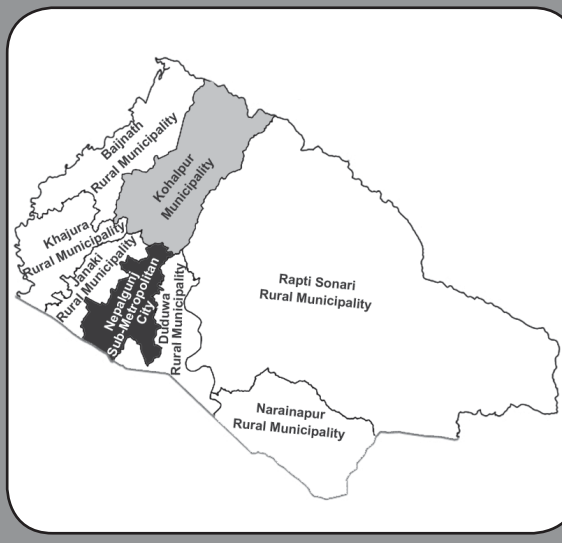
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence		89		1		90
Witchcraft Allegation					1	1
Polygamy		1				1
Rape	1		1	21		23
Attempt to Rape	1		2	6		9
Women Trafficking				1		1
Total	**2**	**90**	**3**	**29**	**1**	**125**

Number of Incidents

Type of Events	Investigation	Legal Proceeding	Total
Killing	2	4	6

5.11 Banke



Total Population	6,03,393
Women	3,08,281
No. of Constituency (HoR)	3
No. of Constituency (PA)	6
Below Poverty Level	1,27,690
No. of Migrant Workers	21,359
Population of Disability	7,468
Literacy above 5 yrs (%)	91
Dependent Population	2,24,839

There were 124 victims (118 female and six male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 17 were the victims of Child Rights Violation, 94 were the victims of Women Rights Violation, nine were victims of beating, and four were victims of killing.

MISBEHAVIOUR

Shiva Subedi, 30, of Surkhet district was arrested from Bheri Hospital on February 1, 2021, on charge of misbehaving with Dr. Bipin Acharya, 38, and other health workers at Bheri Hospital, Nepalgunj. A case was filed against him at the District Administration Office. On the same day Human Rights activists from Nepal Bar Association, High Court Bar Association, District Bar Association, INSEC and other organizations drew attention to the incident through a press release on February 2. The statement said that some people, who called themselves social campaigners, entered into sensitive areas and carried out indecent activities and mistreated the health workers. During the monitoring it was found that some people suddenly came, took them out of the hospital, and treated them indecently. The statement called for action to be taken against those involved in the scam. The accused was subjected to abusive behaviour. He was released on a bail of NPR. 10,000 by the District Administration Office on February 5.

Bharat Rawat, 50, Yog Raj Rawat, 28, and Man Bahadur Rawat, 48, of Tulsipur Municipality-11were arrested on May 27 in the charge of beating and misbehaving with a team of Dr Chandra Prakash Sahu, 26, Asmin Gurung, 24, Sadikshya Gaire, 19, Rita Adhikari, 25, and Bhawana Shrestha, 24, after a 54-year-old man died during treatment. These health workers were delegated for the treatment of COVID patients. The court released

them on bail of NPR 50,000 each on June 20, 2021.

JAIL AND DETENTION

The District Jail had the capacity of holding 350 inmates but there were 810 male inmates. There were three inmates above the age of 60 years. The jail lacked adequate living space. There were two health workers appointed for the regular checkup of the inmates. In case of critical care, the inmates were transferred to the Central Jail in Kathmandu. Due to overcrowding, the jail had insufficient blankets and quilts.

Child Rehabilitation Centre

The child rehabilitation centre in Duduwa Rural Municipality-6 has the capacity of holding 70 children but had 175 residents. Due to overcrowding, the rehab had insufficient blankets and quilts. The children were admitted to Saraswati Secondary School of Duduwa Rural Municipality-6.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

The District Court with eight judges had adjudicated 1,119 criminal cases out of 1,133 and 1,844 civil cases among 1,856 that were registered in 2021. There were 363 cases (349 criminal and 701 civil) that had not been decided for over one year. The court had hired 18 employees on contract and there were 13 vacant positions.

High Court Tulsipur – Nepalgunj Bench

The high court had positions for seven judges. It had received 438 criminal cases and 264 civil cases and 62 writs in 2021. The court had adjudicated 523 cases that had been carried over from last year.

CHILD RIGHTS

Educational Status

The district has 84 elementary, 186 secondary schools and 106 Madrasas. There were positions for 1,558 teachers in the district. This year, 9,810 girls and 12,040 boys were enrolled in the schools. Among them, 52 girls and 32 boys were with disabilities. There were five disability-friendly schools in the district. This year, 1,807 girls and 2,157 boys from Dalit families were enrolled in the schools. Thirty-five children from the conflict-affected families and three from the martyr's families received scholarships.

Type of Events		By Others		
		Female	Male	Total
Beating		6	3	9
Killing		2	2	4
Child Rights	Child Labor	1		1
	Corporal Punishment		1	1
	Rape	12		12
	Sexual Abuse	3		3
	Total	**16**	**1**	**17**
Women Rights	Domestic Violence	83		83
	Rape	11		11
	Total	**94**		**94**
Grand Total		**118**	**6**	**124**

INSEC documented 12 victims of rape, three of sexual abuse, one of corporal punishment and one of child labour. None of the cases received a verdict. Two accused were not arrested till the end of 2021 and others were sent to judicial custody. The accused of sexual abuse were sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 359 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which 204 were reconciled, 76 were sent to other authorities and two victims were out of contact, 67 were pending.

INSEC documented 83 victims of domestic violence and 11 victims of rape. Five accused of rape were sent to judicial custody, one was released on bail of NPR 100,000, and three were not arrested till the end of 2021.

HEALTH SERVICES

The district has one central hospital, 17 elementary health centres, 12 urban health centres, and three primary health centres. There were vacant positions for 26 specialist doctors.

The foundation of the elementary health centres of Rapti Sonari Rural Municipality, Khajura Rural Municipality, Kohalpur Municipality, Naraina Rural Municipality was laid on November 30, 2020. The construction work of all these rural municipalities have started.

This year, 18,527 were diagnosed with COVID-19 and among them, 287 died. There were 251,358 fully vaccinated people in the district.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	No Legal Proceeding	Total
Child Labor	1				1
Corporal Punishment				1	1
Rape		3	9		12
Sexual Abuse			3		3
Total	**1**	**3**	**12**	**1**	**17**

WOMEN RIGHTS

Type of Events	Compromise	Incomplete	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	77	1	1	3	1	83
Rape			3	8		11
Total	**77**	**1**	**4**	**11**	**1**	**94**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	4	4

5.12 Bardiya

Total Population	4,60,831
Women	2,42,981
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	1,21,178
No. of Migrant Workers	25,044
Population of Disability	8,197
Literacy above 5 yrs (%)	98
Dependent Population	1,78,005

There were 82 victims (81 female and one male) of human rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 44 were victims of Child Rights Violation, 36 were victims of Women Rights Violation and two were discriminated based on their caste.

JAIL AND DETENTION

The District Jail had the capacity of holding 125 inmates but there were 391 inmates of which 34 were female. There were two dependent children at the jail and 15 male inmates above the age of 60. The position of an assistant health worker at the jail was vacant and a health worker from the health department of Gulariya Municipality was providing the services on a contract.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with two judges had adjudicated 185 criminal cases out of 508 and 269 civil cases among 748 that were registered in 2021. There were 45 cases (four criminal and 41 civil) that had not been decided for over two years and there were 836 cases carried over from 2020.

CHILD RIGHTS

Educational Status

The district has 267 elementary and 118 secondary schools. There were 1,199 positions for teachers in the district. There were 114,218 girls and 116,365 boys enrolled in 2021 among which 60 were children with disability. Thirty-three children from conflict-affected families received scholarships. This year, there were 9,016 girls and 9,128 boys from dalit families enrolled in schools.

INSEC documented 35 victims of rape, four of sexual abuse, three child marriage and one of trafficking. Twenty-one accused of rape were sent to judicial custody, two were handed to the parents,

Type of Events		By Others		
		Female	Male	Total
Cast Based Discrimination		2		2
Child Rights	Child Marriage	3		3
	Child Trafficking	1		1
	Corporal Punishment		1	1
	Rape	35		35
	Sexual Abuse	4		4
	Total	**43**	**1**	**44**
Women Rights	Domestic Violence	3		3
	Witchcraft Allegation	2		2
	Polygamy	13		13
	Rape	12		12
	Attempt to Rape	4		4
	Women Trafficking	2		2
	Total	**36**		**36**
Grand Total		**81**	**1**	**82**

four minor accused were sent to the child rehabilitation centre, one was sent to judicial custody after the accused failed to deposit bail amount of NPR 50,000, one was released on general bail and one was not arrested till the end of 2021. One accused of sexual abuse was sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 133 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which were 115 were reconciled, 16 were sent to court and two victims were out of contact.

INSEC documented three victims of domestic violence, 12 of rape, four of Attempt to Rape, two of witchcraft allegations, 13 of polygamy and two of trafficking. Eight accused of rape were sent to judicial custody, two were released on bail of NPR 250,000, two were released on bail of NPR 200,000 and NPR 180,000 each. One mentally unstable accused was taken for treatment by the police without being presented at the court. The accused of Attempt to Rape was sent to judicial custody.

Domestic Violence

A complaint was filed against Barma Prasad Tharu, 37, of Bansgadi Municipality- 8 at the Area Police Office on April 23, 2021, alleging that he had verbally abused and beaten his siter-in-law Ambika Tharu, 29, when he was drunk. Police filed a case against the accused at the Dsitrict Administration Office on May 19. The accused appeared in the District Administration Office on May 21 and was released on bail of NPR 10,000. He was proven guilty on June 2 and was charged NPR 12,000 for the victim's treatment.

HEALTH SERVICES

The district has one government hospital, three elementary hospitals and three primary health centres, 23 health posts. There were nine vacant positions of specialist doctors, two doctors and one staff nurse.

There were 94,197 people with health insurance and the senior citizens' insurance scheme had 14,260 enrolled. This year, 9,221 were diagnosed with COVID-19 and among them, 243 died.

The construction work of the local level hospital at Bansgadi Municipality, Madhuban Municipality and Thakurbaba Municipality had started. The foundation of those hospitals was laid on November 30, 2020.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

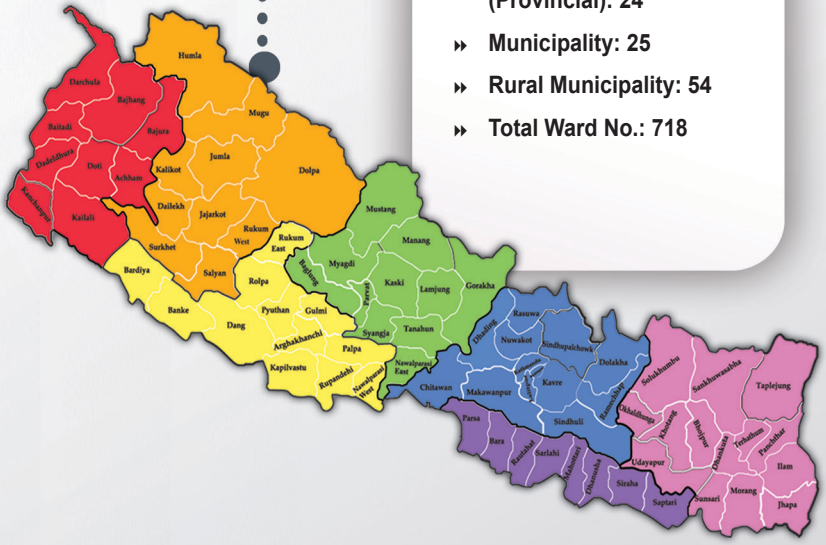
Type of Events	Investigation	Legal Proceeding	No Legal Proceeding	Total
Child Marriage			3	3
Child Trafficking		1		1
Corporal Punishment			1	1
Rape	1	31		32
Sexual Abuse		4		4
Total	**1**	**36**	**4**	**41**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	1			2	3
Witchcraft Allegation		1		1	2
Polygamy				13	13
Rape	1		1	10	12
Attempt to Rape				4	4
Women Trafficking				2	2
Total	**2**	**1**	**1**	**32**	**36**

Karnali Province

- Area: 30,211 sq.km.
- Population: 16,94,889
- Literacy Rate: 58.49
- District: 10
- Electoral Constituency (Parliamentary): 12
- Electoral Constituency (Provincial): 24
- Municipality: 25
- Rural Municipality: 54
- Total Ward No.: 718



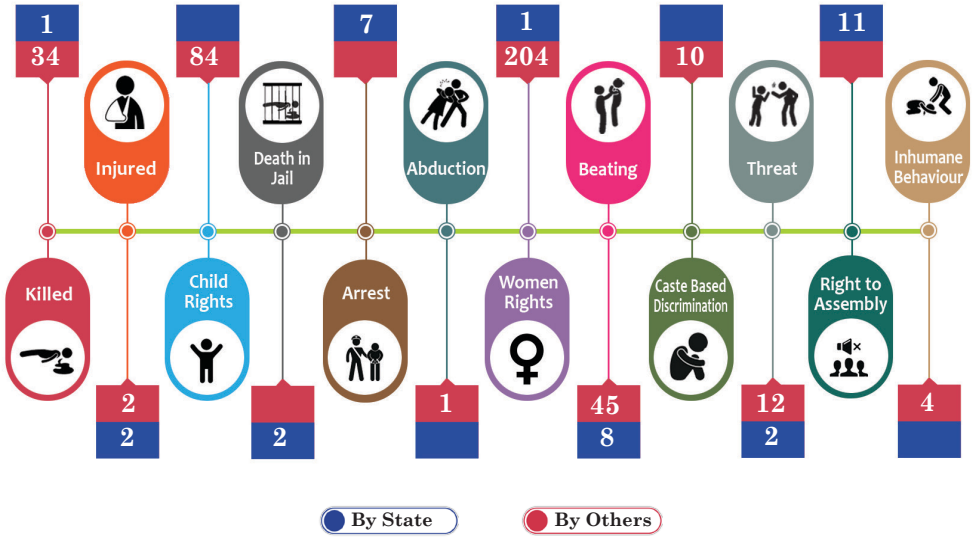
Introduction: Karnali Province

The government of Karnali Province adopted the policy of prosperous Karnali, happy individuals residing in Karnali. The government prioritized entrepreneurship promotion for the agriculture technician, campaign for organic Karnali agriculture support system, establishment of a food bank per local government, public education improvement program etc. Thirty-six laws were promulgated till the end of 2021 by the provincial assembly.

This year, 1,365 houses were handed over through the People's Housing Programme to the targeted population. This year, 3,124 persons were diagnosed with COVID-19, and among them 388 died. Twelve hospitals are under construction among 17, whose foundation was laid on November 30, 2020 under the "One Local Government One Hospital Program" of the federal government.

There were 34 victims (four female and 30 male) of Human Rights violations and 396 victims (320 female and 76 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; seven were arrested, eight were victims of beating, two were victim of threatening, 11 were deprived of their right to assembly, and two died in jail and one was killed. Similarly, 84 were victims of Child Rights Violation, 204 were victims of Women Rights Violation, 45 were victim of beating, one victim of abduction, two were injured, and 34 were victims of killing among the documented victims of abuse.

No. of Victims by Incident (In 2021)



6.1 Dolpa

Total Population	42,959
Women	21,683
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	15,455
No. of Migrant Workers	447
Population of Disability	7,458
Literacy above 5 yrs (%)	54.15
Dependent Population	21,035

There were 10 victims (seven female and three male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; one was the victim of Child Rights Violation, five were the victims of Women Rights Violation, and four were victims of beating.

JAIL AND DETENTION

The District Jail had the capacity of holding 150 inmates but had only 31 male inmates. The inmates had access to newspaper, radio, television, games and skill based training. The position for one Assistant Health Worker at the jail was vacant hence, inmates had to be taken to the district hospital for their checkups.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 10 criminal cases out of 28 and eight civil cases among 14 that had been registered in 2021. There were six criminal cases that remained undecided for over two years. The court had hired seven employees on contract while nine positions were vacant.

CHILD RIGHTS

Educational Status

The district has 99 elementary schools and 15 secondary schools. There were positions for 476 teachers in the district. This year 6,200 girls and 9,100 boys were enrolled in the school out of which 60 girls and 200 boys were with disability. There were no disability-friendly schools in the district. Fifty children of conflict-affected families and Martyrs' families had received scholarships this year. This year 1,250 girls and 1,585 boys from Dalit families enrolled in the schools.

INSEC documented one victim of sexual abuse and the accused was sent to judicial custody.

Type of Events		By others		
		Female	Male	Total
Beating		1	3	4
Child Rights	Sexual Abuse	1		1
	Total	**1**		**1**
Women Rights	Domestic Violence	3		3
	Rape	1		1
	Sexual Abuse	1		1
	Total	**5**		**5**
Grand Total		**7**	**3**	**10**

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 13 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre. All the cases were reconciled.

INSEC documented three victims of domestic violence, one of rape, and one of sexual abuse. Among them, accused of rape and sexual abuse were sent to judicial custody and the cases of domestic violence were reconciled.

HEALTH SERVICES

The district had one government hospital, eight community health units and 23 health posts. There were nine vacant positions – four specialist doctors, four staff nurses and one auxiliary nurse-midwife.

There were 2,000 people enrolled in the government's health insurance scheme in the district. Five hundred senior citizens were enrolled under the free insurance scheme however, they had to go to hospitals of other districts for effective treatment. Hospitals were prioritizing senior citizens in the course of service delivery.

Out of eight local levels, only Tripurasundari Municipality had been delivering service through the 15-bedded hospital, other local levels had been delivering services through health posts. The construction work of the hospital whose foundation was laid on November 30, 2020, has not started yet. The government had targeted to build 10-bedded hospitals in the local level but due to scarcity of land, the construction work was on hold.

Number of Incident with Status of Legal Proceeding in 2021				
CHILD RIGHTS				
Type of Event	**Legal Proceeding**		**Total**	
Sexual Abuse	1		1	
Total	**1**		**1**	
WOMEN RIGHTS				
Type of Events	**Compromise**	**Incomplete**	**Legal Proceeding**	**Total**
Domestic Violence	1	1	1	3
Rape			1	1
Sexual Abuse			1	1
Total	**1**	**1**	**3**	**5**

6.2 Mugu

Total Population	66,658
Women	33,210
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	25,784
No. of Migrant Workers	699
Population of Disability	1,917
Literacy above 5 yrs (%)	51.25
Dependent Population	35,401

There was one victim of Human Rights violation who died due to lack of timely post-partum service and 26 victims (13 female and 13 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; one was the victim of Child Rights Violation, 11 were the victims of Women Rights Violation, 11 were victims of threatening, and two were victims of killing.

BEATING

By Others

A complaint was filed against Kewal Malla, 43, a member of the secretariat of CPN-Maoist (Centre) District Committee Mugu residing in Chhayanath Rara Municipality-1 at the District Police Office on November 24, 2021, alleging that he had beaten Nandalal Badhuwal, 38, Chairperson of Chhayanath Rara Municipality-14. The accused was arrested from the market of Gamgadhi on November 24. The District Administration Office released the accused of on bail of NPR 10,000. The case had not been adjudicated till the end of 2021.

JAIL AND DETENTION

The District Jail had the capacity of holding 16 inmates and there were 10 inmate including one female. Due to the ongoing construction of the jail, female inmates were being held in Jumla, Surkhet and Dailekh. The Jail has been operating in the building of the District Administrative Office. An auxiliary nurse-midwife was hired on contract for the regular health checkup of the inmates because of the vacant position of an assistant health worker.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 22 criminal cases out of 65 and 18 civil cases among 35 that were registered in 2021. There were 27 cases

Type of Events		By State		By others		
		Female	Total	Female	Male	Total
Beating					1	1
Killing				1	1	2
Threats				1	10	11
Child Rights	Corporal Punishment				1	1
	Total				**1**	**1**
Women Rights	Domestic Violence			5		5
	Polygamy			1		1
	Lack of Post Partum Services	1	1			
	Rape			2		2
	Attempt to Rape			1		1
	Sexual Abuse			2		2
	Total	**1**	**1**	**11**		**11**
Grand Total		**1**	**1**	**13**	**13**	**26**

(19 criminal and eight civil) that had not been decided for over one year. The court had hired four employees on contract and 15 positions were vacant till the end of 2021.

CHILD RIGHTS

Educational Status

The district has 124 elementary schools and 26 secondary schools. There were positions for 483 teachers in the district among which 120 were vacant. There were 8,945 girls and 10,225 boys enrolled this year. Among them, 223 girls and 250 boys were with disability. There were 25 disability-friendly schools in the district. Fourteen children from conflict-affected families had received scholarships. There were 1,150 girls and 890 boys from Dalit families enrolled in the schools. All the schools partially functioned in 2021 due to the pandemic of COVID-19. Online classes and classes through FMs were not effective.

INSEC documented one victim of corporal punishment but the victim did not file any complaint.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, three women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre. Among which two cases were sent to District Court and one was reconciled.

INSEC documented five victims of domestic violence, two of rape, one of attempt to rape, two of sexual abuse and one of polygamy. Among two accused of rape, one was not arrested till the end of this year and another was sent to judicial custody. One accused of sexual abuse was released on bail by the District Administration Office and another accused was not arrested till the end of this year. Likewise, a woman died due to a lack of treatment during pregnancy.

A complaint was filed against Subhash Rawal, 21, of Chhayanath Rara Municipality- 3 at the District Police Office on June 2, 2021, alleging that he had tried to strangle his wife Hansila Sejuwal with an electric wire and attempted to kill her on June 1. The accused was arrested by the police from his residence on June 2. The victim was treated at the District Hospital on June 1. Police registered a case against the accused in the district court on June 17. The accused was remanded to judicial custody on June 17. He was sentenced to jail for one year and six months.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Right to Food

The failure of the contractor to transport food to the district had deprived people from obtaining subsidized supplies at the sales depot and centres. There are four depots and two sales centres under Food Management and Trading Company Limited, Mugu.

HEALTH SERVICES

The district has one government hospital, one community hospital, 24 health posts, 14 municipal health centres and one primary health centre. There

were vaccant positions for four specialist doctors and three nurses.

The foundation of a 15-bedded hospital was laid in Soru Rural Municipality and Mugum Karmarong Rural Municipality on November 30, 2020 however the construction work of those hospitals had just started. The construction work of a 15-bedded hospital in Tarapani of Soru Rural Municipality was very slow. The Rural Municipality had delayed the work of land management for a 15-bedded community hospital at Riusabagar of Mugum Karmarong Rural Municipality.

There were 1,010 diagnosed with COVID-19 and among them, four died. There were 3,978 fully vaccinated people in the district and had no COVID specialized hospital.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	No Legal Proceeding	Total
Corporal Punishment	1	1
Total	**1**	**1**

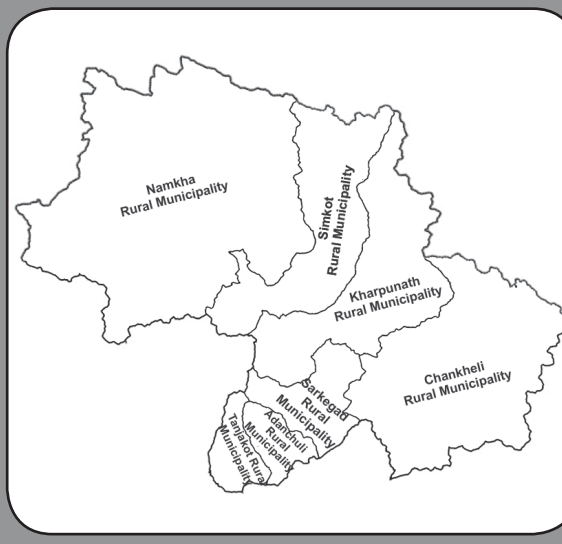
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	1	2		1	1	5
Polygamy	1					1
Lack of Post Partum Services					1	1
Rape			1	1		2
Attempt to Rape			1			1
Sexual Abuse				2		2
Total	**2**	**2**	**2**	**4**	**2**	**12**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	2	2

6.3 Humla



Total Population	55,496
Women	27,514
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	27,962
No. of Migrant Workers	682
Population of Disability	2,411
Literacy above 5 yrs (%)	47.82
Dependent Population	27,016

There were three victims (two female and one male) of Human Rights violations who were beaten and 14 victims (eight female and six male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; three were the victims of Child Rights Violations and three were the victims of Women Rights Violation, seven were victims of beating and one was the victim of caste based discrimination.

THREAT/BEATING

Kali Bahadur Budha, 50, Health Coordinator of Chankheli Rural Municipality and resident of Chankheli Rural Municipality-3 was beaten up by Amrit Rokaya, Principal of Gauri Shankar Primary School of Changkheli Rural Municipality -4. According to the statement of the victim, the accused had beaten him because he did not visit his wife every day who was in isolation due to COVID-19. Budha lodged a complaint at the office of Chankheli Rural Municipality and police station of Melchhami. Prem Bahadur Singh, Head of the Health Service Office, Humla, said that the incident took place after Rokaya had spread spirit on Budha's body, warning to set him on fire but couldn't do it because there were other people present nearby. A team including Chairperson of Chankhel Rural Municipality, Deputy chairperson Dhanalal Chaulagain, Bipala Kumari Shahi reconciled the case on June 6 after the accused apologized and assured that he won't repeat such action again. However, the complaint of inhumane behaviour was filed against the accused by investing authority at the District Police Office, Humla on June 13. The case was sent to the District Administration Office on July 18. The accused was arrested on June 21. The accused was released on bail of NPR 5000 on July 20. On September 13, final decision was rendered by District Administration Office wherein the accused was

charged with a fine of NPR 1,000 and he was asked to deposit NPR 40 to the victim relief fund.

JAIL AND DETENTION

The District Jail is under construction. Due to the unavailability of jail buildings, inmates were kept in detention of the District Police Office. However, there were no inmates in the detention cell till the end of 2021.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 25 criminal cases out of 43 and 15 civil cases among 22 that were registered in 2021 There were six cases (five criminal and one civil) that had not been decided for over a year. The court had appointed three employees on contract while nine positions were vacant.

CHILD RIGHTS

Educational Status

The district has 124 elementary schools and 27 secondary schools. There were positions for 425 teachers in the district. There were 11,969 girls and 11,356 boys enrolled this year among which 44 girls and 54 boys had some form of disability. There were 15 disability-friendly school. Sixty-six children from conflict-affected families and 26 from martyrs' family had received scholarships. A total of 544 Dalit Children including 288 girls and 256 boys received scholarship this year. There were 2,087 girls and 2,221 boys of Dalit families enrolled in different schools.

INSEC documented one victim of rape and two of sexual abuse. The District Administration Office took the case of sexual abuse as misbehaviour and the accused was released after a fine of NPR 2,000. The accused of rape was sent to judicial custody.

Type of Events		By State			By others		
		Female	Male	Total	Female	Male	Total
Beating		2	1	3	2	5	7
Caste Based Discrimination						1	1
Child Rights	Rape				1		1
	Sexual Abuse				2		2
	Total				**3**		**3**
Women Rights	Domestic Violence				1		1
	Rape				1		1
	Attempt to Rape				1		1
	Total				**3**		**3**
Grand Total		**2**	**1**	**3**	**8**	**6**	**14**

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 17 women filed complaints of domestic violence among which two were cases of beating after consumption of alcohol, two of polygamy and four of domestic dispute. Fifteen of the complaints were reconciled.

INSEC documented one victim of domestic violence, one of rape and one of Attempt to Rape. The accused of rape and Attempt to Rape were sentenced to jail.

Rape, Attempt to Rape and Sexual Abuse

A complaint was filed against Dorje Lato, 29, of Namkha Rural Municipality-2, at District Police Office on January 16, 2021, alleging that he had raped a 29-year-old woman on January 13. The accused was arrested on January 16 from his residence. The health checkup of the victim was conducted at district hospital on January 15. Police registered a case against the accused in the district court on January 31. The accused was sent to judicial custody on January 31. He was found guilty on July 12 and was sentenced to jail for seven years, he was charged a fine of NPR 50,000 along with compensation of NPR 1,300.

A complaint was filed against Lokendra Saud, 25, of Darchula Lokam Rural Municipality-2 at the District Police Office of April 12, 2021, alleging that he had attempted to rape a 46-year-old woman on April 11. The health checkup of the victim was conducted at Health Post of Sarkegada on April 12. With three stitches on the head, the victim was referred to district hospital for further treatment. The accused was arrested by the police on April 12 from his residence. Police registered a case of attempt to rape against the accused in the District Court on April 15. The accused was sent to judicial custody on April 28 and sentenced to jail for three years and six months. He was also charged with a fine of NPR 35,000 on December 6. The victim was compensated from State's treasury with a compensation amount of NPR 50,000.

HEALTH SERVICES

The district has one government hospital, one community hospital, and 26 health posts. There were vacant positions for seven specialist doctors, two staff nurses, and one auxiliary nurse-midwife.

There were 1,300 people with health insurance while 473 of them were senior citizens.

The hospitals whose foundation were laid on November 30, 2020, had started operating. Hospital had the facilities of services including oxygen, ventilator, ICU bed, X-ray.

There were 391 people dignosed with COVID-19 among them five died. The district had two COVID hospitals.

Number of Incident with Status of Legal Proceeding in 2021

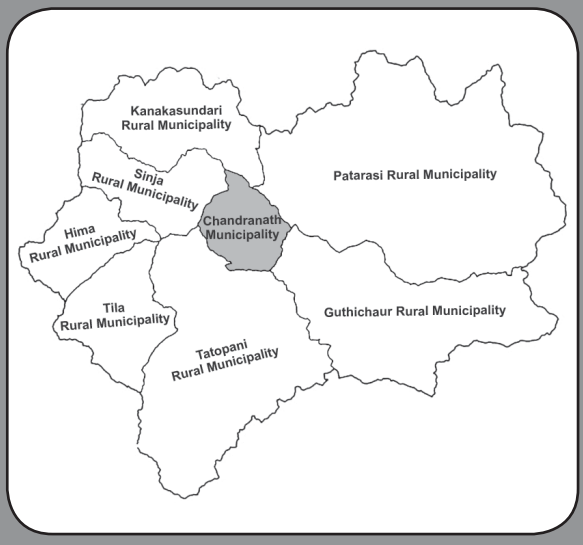
CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
Rape		1	1
Sexual Abuse	1		1
Total	**1**	**1**	**2**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Total
Domestic Violence		1	1
Rape	1		1
Attempt to Rape	1		1
Total	**2**	**1**	**3**

6.4 Jumla



Total Population	1,19,377
Women	59,541
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	52,602
No. of Migrant Workers	1,463
Population of Disability	3,248
Literacy above 5 yrs (%)	54.66
Dependent Population	61,916

There were two victims of Human Rights violation of which one was killed and 12 victims (11 female and one male victim) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; three were victims of Child Rights Violation and six were victims of Women Rights Violation, one was victim of abduction and one of victim of caste-based discrimination.

DEATH AFTER TORTURE

Krishna Adhikari, 37, a policeman of the District Police Office, Jumla was accused of torturing Padam Budha, 13, of Gajyangkot in Guthichaur Rural Municipality-3 on January 31, 2021. The victim died due to the injuries from torture on February 17. Police had arrested Padam from his house on January 31 on the charge of stealing a mobile phone and kept him in the custody of the District Police Office. They had arrested six others as well including Padam, on January 31. While Padam was tortured in custody, six other suspects were released on the same day. Padam was undergoing treatment for the swollen body after the torture and died on February 17 at Karnali Health Science Academy. After the meeting between the District Administration Office and the relatives of the victim on February 18, the District Administration Office formed an investigation committee immediately and initiated provision of relief to the victim's family, and committed to taking action against the accused. After these assurances, the family received the body of the victim on February 20. A team of the investigation committee headed by the Deputy Secretary at the Ministry of Home Affairs reached Jumla on February 24 and started an investigation of the incident. The committee has not published the report till now. The family of

Type of Events		By State		By others		
		Male	Total	Female	Male	Total
Abduction				1		1
Death in Jail		1	1			
Killing		1	1	1		1
Caste Based Discrimination					1	1
Child Rights	Rape			1		1
	Sexual Abuse			2		2
	Total			**3**		**3**
Women Rights	Polygamy			2		2
	Rape			3		3
	Attempt to Rape			1		1
	Total			**6**		**6**
Grand Total		**2**	**2**	**11**	**1**	**12**

the victim received relief of NPR 500,000 on September 12, 2021. The accused was suspended on February 17.

JAIL AND DETENTION

The District Jail had the capacity of holding 200 inmates and there were 114 inmates, including one woman. One inmate was above 60 years of age. There were four dependent children at the prison. The inmates had access to drinking water, toilets, means of communication and leisure activities and a library. The inmates also had opportunities for income generation activities. One Assistant Health Worker was hired on contract for regular health checkups of the inmates. In case of serious illness, the inmates are taken to Karnali Institute of Health Science for treatment. In 2021, one inmate died among the 14 infected inmates of COVID-19.

RIGHT TO PROMPT AND FAIR TRIAL

District Court

The District Court with one judge had adjudicated 36 criminal cases out of 113 and 14 civil cases among 120 that were registered in 2021. There were 35 cases (21 criminal and 14 civil) that had not been decided for over one year. The court has hired two employees on contract and two positions were vacant till the end of 2021.

High Court Surkhet - Jumla

The court had positions for four judges however one judge was delegated to Special Court. There were 104 cases (97 criminal and seven civil) and five cases were registered in 2021. The court had 104 cases (97 criminal and seven civil) that were transferred and five cases that were registered and carried over from 2019.

CHILD RIGHTS

Educational Status

The district has 123 elementary schools and 47 secondary schools. There were positions for 857 teachers in the district. There were 16,816 girls and 14,546 boys enrolled this year among which 653 children had some form of disability. The district had 91 partially disability-friendly schools. There were 7,324 children from Dalit families enrolled in the schools. One hundred three children from conflict-affected families had received scholarships. Online classes and classes through FMs were not effective.

INSEC documented one victim of rape and two of sexual abuse. The accused of rape and one of sexual abuse was sent to judicial custody and an accused of sexual abuse was sentenced to jail.

Rape, Sexual Abuse

A complaint was filed against Narayan Prasad Tharu, 47, a temporary resident of Guthichaur Rural Municipality-3 at the District Police Office on February 23, 2021, alleging of sexually abusing a nine-year-old girl on February 22. The health checkup of the victim was conducted at Karnali Institute of Health Sciences Teaching Hospital, Jumla on February 23. The accused was arrested on February

22 after the verbal complaint of the victim. Police registered a case against the accused at the District Court on March 15. He was remanded to judicial custody on March 15. The court sentenced him to jail for three months and was charged NPR 35,000 as compensation for the victim and asked to deposit NPR 400 in the victim' relief fund.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 45 women filed complaints at the Women, Children and Senior Citizens' Service Centre among which 33 were the cases of domestic violence, two of beating and home eviction, two of deprivation of food and clothes, five of deprivation of marriage certificate and citizenship, one of deprivation of birth certificate and two of polygamy. Thirty cases were reconciled and 11 were in the legal process.

INSEC documented three victims of rape, one of Attempt to Rape and two of polygamy. A minor accused of rape was sent to Child Rehabilitation Centre and one was sent to judicial custody. Another accused of rape was not arrested till the end of 2021. The accused of Attempt to Rape was sent to judicial custody.

ALL KINDS OF CASTE-BASED DISCRIMINATION

A complaint was filed against Kali Bahadur Budha, 55, Chairperson of Sinja Rural Municipality- 6 and his son Nabin Budha, 30, at the District Police Office on July 10, 2021, alleging them of discriminating against Bivendra Nepali, 35, on June 20. The victim had accused the ward chairperson of using discriminatory and abusive language based on his caste over the phone on June 20. Police registered a case against the accused in the District Court on August 4. Nabin Budha was released on a bail of NPR 100,000 on August 12 and Chairperson Kali Bahadur Budha was released on a bail of NPR 110,000. The case has not been decided till the end of 2021.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

According to the Agricultural Development Office of Jumla, the unseasonal rainfall of mid-October of 2021, completely destroyed cultivation of 13 hectares land. The flood destroyed 20 percent hybrid paddy and 80 percent *Marsidhan* (a kind of traditional paddy). It has also affected 25 canals. The flood has affected 10 small hydropower plants. Netrajyoti Secondary School in Thantachaur, Tatopani Rural Municipality-4 was swept away by the flood which resulted in an estimated loss worth NPR 16,635,000. The school had 655 students.

HEALTH SERVICES

The district has 29 health posts, one primary health centre, and seven health units. There were 55,352 people with health insurance and 4,035 senior citizens with free insurance scheme. The free insurance program covers 180 women volunteers, 45 persons with complete disability, two persons suffering from tuberculosis and one person infected with HIV.

Karnali Institute of Health Sciences and Teaching Hospital Jumla has been operating a COVID-19 lab since May 2, 2020.

A 10-bedded hospital was being constructed at Tila Rural Municipality and tender had been asked for a 15-bedded hospital at Kanakasundari Rural Municipality. The foundation of these hospitals were laid on November 30, 2020.

There were 1,224 people dignosed with COVID-19 among them 23 died. There were 33,645 fully vaccinated people in the district.

Number of Incident with Status of Legal Proceeding in 2021				
CHILD RIGHTS				
Type of Events	**Closed Case**	**Legal Proceeding**		**Total**
Rape		1		1
Sexual Abuse	1	1		2
Total	**1**	**2**		**3**
CHILD RIGHTS				
Type of Events	**Closed Case**	**Investigation**	**Legal Proceeding**	**Total**
Polygamy	1	1		2
Rape		1	2	3
Attempt to Rape			1	1
Total	**1**	**2**	**3**	**6**
Number of Incidents				
Type of Events	**Legal Proceeding**		**Total**	
Killing	2		2	

6.5 Kalikot

Total Population	1,44,917
Women	72,674
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	78,749
No. of Migrant Workers	2,096
Population of Disability	5,262
Literacy above 5 yrs (%)	56.83
Dependent Population	20,912

There were four male victims of Human Rights violation and 17 victims (14 female and three male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; two were arrested, one was beaten, and one was deprived of the right to assembly and association. Similarly, one victim of Child Rights Violation, 11 victims of Women Rights Violation, one victim of caste-based discrimination, one victim of threatening, one of inhumane behaviour and two victims of killings were documented under human rights abuse.

ARREST

Durga Bahadur Bohara, 36, of Naraharinath Rural Municipality-9, a cadres of Biplav Party and Padam Bahadur Pun, 38, of Bheri Municipality-2, Jajarkot were arrested by the police on January 4, 2021 upon finding them with explosive substance at Naraharinath Rural Municipality-9. A set of half-constructed wooden gun, pressure cooker bomb, wire, detonators, crackers, and socket used to make bomb, battery charger, safety fuse, soda, explosive, wire cutter, telephone wire and aluminum used to make cape were captured from the arrested persons. Health checkup of the accused were conducted at District Hospital, Kalikot on January 4. Police registered the case related to arms and ammunition against the accused at district court on January 21. The accused were sent to judicial custody on January 21.

INHUMANE BEHAVIOUR

Team of Mahesh Bk, chairperson of youth organization affiliated to CPN led by Netra Bikram Chand (Biplav) had misbehaved with Maheshdutta Devkota, 48, of Chantanath Municipality-10,

Type of Events		By State		By others		
		Male	Total	Female	Male	Total
Arrest		2	2			
Beatings		1	1			
Inhumane Behaviour					1	1
Killing				2		2
Caste Based Discrimination					1	1
Right to Assembly		1	1			
Threats					1	1
Child Rights	Sexual Abuse			1		1
	Total			**1**		**1**
Women Rights	Domestic Violence			6		6
	Witchcraft Allegation			2		2
	Rape			2		2
	Sexual Abuse			1		1
	Total			**11**		**11**
Grand Total		**4**	**4**	**14**	**3**	**17**

Jumla, Chief of Education development and coordination unit, Kalikot. Shoot was rubbed on Devkota's face by accusing him of taking bribe for transfer and promotion of the teachers and working alone based on his own will on December 15, 2021. A complaint was filed by the victim at district police office alleging that the cadres of the party misbehaved with him after he denied on offering four lakh donation as demanded by the cadres. Accused weren't arrested till the end of this year.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates (including 10 female and 15 male) but there were 54 prisoners, including 49 male. There were two dependent children. There were eight inmates with general mental illness in the jail.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 22 criminal cases out of 100 and 31 civil cases among 89 that were registered in 2021. There were 37 cases (23 criminal and 14 civil) that had not been decided for over a year. Court had appointed four employees on contract while two positions were vacant.

CHILD RIGHTS

Educational Status

The district has 178 elementary schools and 76 secondary schools. There were positions for 1,035 teachers in the district out of which 65 were vacant. This year 28,453 girls and 29,350 boys were enrolled in the schools among which 150 girls and 115 boys were with disability. There were 70 disability-friendly schools in the district. Seventy-five children of conflict-affected families had received scholarships. This year, 7,150 girls and 9,084 boys from Dalit community were enrolled in the schools.

One girl was victim of sexual abuse, however, the accused wasn't arrested till the end of this year.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 19 women filed complaints at the Women, Children and Senior Citizens' Service Centre. All the cases were reconciled.

INSEC documented 11 victims of violence against women- six victims of domestic violence, two of rape, one of sexual harassment and two of witchcraft allegation. One accused of rape has not been arrested till the end of the year 2021. One accused was released by the court on a general date and one was sent to judicial custody.

HEALTH SERVICES

The district has two government hospitals, one community hospital, three

elementary hospital, 28 health posts and one municipal health centre. There were 11 vacant positions in the hospital including three specialist doctors, seven staff nurses and one auxiliary nurse-midwife.

There were 1,000 senior citizens enrolled under the free health insurance and 3,456 people enrolled on the health insurance scheme.

Tender has been asked for the construction of the hospital at Kaskot Municipality whose foundation was laid on November 30, 2020; except for it none of the other local levels has started the construction work yet.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Incomplete	Total
Sexual Abuse	1	1
Total	**1**	**1**

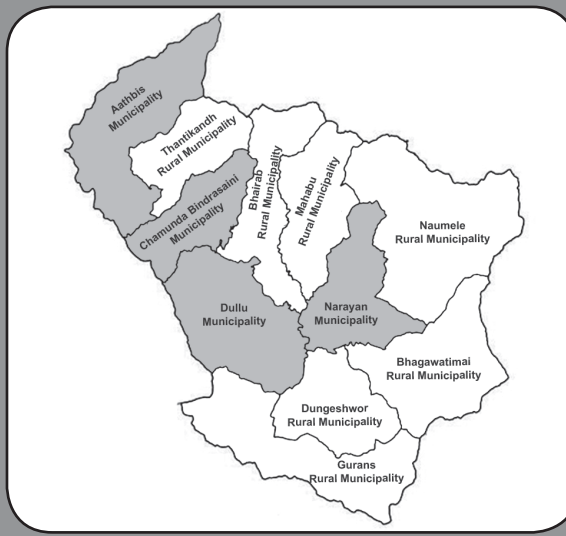
WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	2	1	3	6
Witchcraft Allegation	1	1		2
Rape		1	1	2
Sexual Abuse			1	1
Total	**3**	**3**	**5**	**11**

Number of Incidents

Type of Events	Investigation	Legal Proceeding	Total
Killing	1	1	2

6.6 Dailekh



Total Population	2,53,319
Women	1,31,644
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	93,428
No. of Migrant Workers	11,221
Population of Disability	7,607
Literacy above 5 yrs (%)	62.47
Dependent Population	1,37,409

There were 113 victims (99 female and 14 male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 33 were victims of Child Rights Violations, 51 were victims of Women Rights Violation, four were victims of beating, one was victims of inhumane behaviour, seven were victims of caste-based discrimination, 15 were victims of killing and two were injured.

JAIL AND DETENTION

The District Jail had the capacity of holding 100 inmates and there were 80 inmates, including 34 females. There were two males above the age of 60 years and two dependent children.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 69 criminal cases out of 137, and 205 civil cases among 334 that were registered in 2021.

CHILD RIGHTS

Educational Status

The district has 432 elementary schools and 91 secondary schools. There were positions for 1,869 teachersin the district out of which 15 positions were vacant. This year 36,521 girls and 38,729 boys were enrolled among which 129 girls and 179 boys were with disability. There were two disability-friendly residential schools at the elementary level. Twenty-three children of conflict-affected families received scholarships. There is the provision for free education to the children from Dalit community and the children with disabilities.

INSEC documented 19 victims of rape, seven of sexual abuse and seven of child marriages. Three accused of rape were sent to judicial custody, one was in the custody for investigation, one was re-

leased on bail, and three were not arrested till the end of 2021.

A complaint was filed against Ram Bahadur BK, 35, of Simada, Narayan Municipality-8 at the District Police Office, Dailekh on January 2, 2021, accusing that he had raped a five-year-old girl on January 1. The health checkup of the victim was conducted at Dailekh Hospital on January 2. The accused was arrested by the police from his residence on January 2. Police registered a case against the accused at the district court on January 26. The accused was remanded to judicial custody on January 26. The accused was found guilty on December 16 and was sentenced to jail for 25 years. He was charged a fine of NPR 600,000 and compensation of NPR 100,000. The guilty was also ordered to deposit NPR 2,800 to the victim relief fund.

A complaint was filed against Dipendra Nepali of Narayan Municipality-8 Tartang on July 2, 2021, alleging that he had sexually abused a 15-year-old girl on July 1. The accused was arrested on the basis of a verbal complaint. The health examination of the victim was conducted at Dailekh District Hospital on July 1. Police registered a case against the accused at the district court on July 22. The accused was remanded to judicial custody on July 22. He was found guilty on September 14, 2021, and was sentenced to jail for six years. He was charged a fine of NPR 200,000 and was ordered to deposit NPR 1,000 to the victim relief fund.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 145 victims filed complaints at the Women, Children and Senior Citizens' Service Centre among which 129 cases were reconciled while 16 were sent to court for legal proceedings.

INSEC documented 51 victims of violence against women including 20 victims of domestic violence, 10 of rape, two of sexual abuse, 17 of polygamy, one of trafficking and one was alleged of witchcraft. Two accused of rape was sent to judicial custody, three were not arrested till the end of 2021, one was released on a bail of NPR 500,000, one was sent to judicial custody after being unable to deposit the bail amount of NPR 700,000, and one was in the custody for investigation. Five accused of polygamy were sent to judicial custody and five were not arrested till the end of 2021. Two were remanded to custody for investigation. An accused husband was sent to judicial custody while one minor accused was handed over to the parents. Two accused of polygamy were sentenced to jail for one year one month and were fined NPR 13,500 each. One accused was released on bail of NPR 108,000. An accused husband was released on bail of NPR 200,000 and another was released on bail of NPR 60,000. The accused duo was sentenced to jail for one and half years and was fined NPR 15,000.

Type of Events		By others		
		Female	Male	Total
Beatings		2	2	4
Inhumane Behaviour		1		1
Injured		1	1	2
Killing		9	6	15
Caste Based Discrimination		2	5	7
Child Rights	Child Marriage	7		7
	Rape	19		19
	Sexual Abuse	7		7
	Total	**33**		**33**
Women Rights	Domestic Violence	20		20
	Witchcraft Allegation	1		1
	Polygamy	17		17
	Rape	10		10
	Sexual Abuse	2		2
	Women Trafficking	1		1
	Total	**51**		**51**
Grand Total		**99**	**14**	**113**

Sexual Abuse

A complaint was filed at the District Police Office on January 23 against Man Bahadur Thapa, 61, of Bhagwatimai Rural Municipality-1 on the charge of sexually abusing a 39-year-old verbally disable woman on January 20. He was arrested on January 25. The case of attempt to rape was filed against him and he was sent to judicial custody on February 14. The perpetrator was sentenced to jail for four years and was fined NPR 50,000.

HEALTH SERVICES

The district has two government hospitals, 56 health posts, 19 community health centres and two primary health centre. The government hospital had seven positions of specialist doctors out of which six were vacant. Out of 10 positions for medical officers, seven were hired on contract.

The construction work of the hospital whose foundation was laid on November 30, 2020, is being constructed in Gurans Rural Municipality, Naumule Rural Municipality, Bhairabi Rural Municipality, Thatikandh Rural Municipality, Aathbis Municipality, Chamunda Bindrasaini Municipality with 15 beds while a 10-bedded hospital is being constructed at Mahabu Rural Municipality.

There were 2,437 people dignosed with COVID-19 and among them nine died.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Child Marriage	2	1	1	2	1	7
Rape	3		4	11	1	19
Sexual Abuse	1		1	3	1	6
Total	**6**	**1**	**6**	**16**	**3**	**32**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	No Legal Proceeding	Total
Domestic Violence	1	4	3	8	3	19
Witchcraft Allegation			1			1
Polygamy	4		4	7	2	17
Rape			1	8	1	10
Sexual Abuse					1	1
Women Trafficking				1		1
Total	**5**	**4**	**9**	**24**	**7**	**49**

Number of Incidents

Type of Events	Closed Case	Legal Proceeding	Total
Killing	2	10	12

6.7 Jajarkot

Total Population	1,89,365
Women	95,570
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	64,175
No. of Migrant Workers	4,174
Population of Disability	6,848
Literacy above 5 yrs (%)	57.27
Dependent Population	98,512

There were three victims of Human Rights violation and 25 victims (13 female and 12 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; two were the victims of threatening and one of beating. Similarly, there were four victims of Child Rights Violations, eight victims of Women Rights Violation, four of killing, one of inhumane behaviour and eight of beating.

JAIL AND DETENTION

The District Jail had the capacity of holding 15 inmates but had 63 inmates, including 47 prisoners and 16 detainees. Jail lacked adequate living space due to overcrowding. One health worker was available in the jail for the regular check-up of the inmates. Due to the old structure of the prison, the building leaked during the monsoon. Jail had one inmate over the age of 60 years.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 32 criminal cases out of 102 and 67 civil cases among 137 registered in 2021. The court had three criminal cases and 13 civil cases that had not been decided for over a year. The court had appointed 10 employees on contract while five positions were vacant till the end of this year.

CHILD RIGHTS

Educational Status

The district has 432 elementary schools and 70 secondary schools. There were 407 Child Development Centers, two *Gurukuls* and three colleges. There were positions for 802 teachers in the district. This year 38,940 girls and 40,258 boys enrolled in the schools and among them 12,235 girls and 12,595 boys were from Dalit community. The district had two disability-friendly schools. Seventeen

Type of Events		By State		By others		
		Male	Total	Female	Male	Total
Beating		1	1	1	7	8
Inhumane Behaviour					1	1
Killing					4	4
Threats		2	2			
Child Rights	Rape			4		4
	Total			**4**		**4**
Women Rights	Domestic Violence			4		4
	Polygamy			2		2
	Rape			2		2
	Total			**8**		**8**
Grand Total		**3**	**3**	**13**	**12**	**25**

children from Martyr's families and 30 children from conflict-affected families had received scholarships this year.

INSEC documented four victims of rape this year. An accused was sentenced to jail, two were sent to judicial custody and one minor accused was sent to child rehabilitation centre.

Rape, Sexual Abuse

A complaint was filed against Samir Rai Kawadiya, 31, of on Bheri Municipality-3, Thati at the District Police Office on February 16, 2021, alleging that he had raped a 14-year-old girl on February 15. The health checkup of the victim was conducted at the district health service office on February 16. The accused was arrested on February 16 from his workplace. Police registered a case against the accused in the District Court, Jajarkot on March 2. The accused was sent to judicial custody on March 2 and sentenced to jail for three months after the court found him guilty on April 28. He was also fined NPR 10,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 27 women filed complaints at the Women, Children and Senior Citizens' Service Centre among which 18 were victims of beating, six were victims of home eviction and three were complaints of deprivation of marriage certificate, citizenship and birth certificate. Twenty cases were reconciled and seven cases were in legal process. Two out of three victims of home eviction were resettled. Two victims of deprivation of marriage certificates and citizenships received were provided with one.

INSEC documented eight victims of violence against women- four victims of domestic violence, two of rape and two of polygamy. One accused of rape was sent to judicial custody, one accused was not arrested till the end of the year, two accused of polygamy were sent to judicial custody, one was released on general notice, and one was sent to judicial custody.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

As per the initial statistics of 2012, there are 444 households of *Haliyas* in the district out of which 200 are certified. Among this, 79 households were of category A, 10 were B, eight were C and 103 were D. Seventy-nine households from category A and 10 from B received a subsidy for land and construction of the house and those from C and D category received a subsidy for the renovation of the house till December, 2021.

HEALTH SERVICES

The district has one government hospital, 31 community health units, and two primary health centres. The 59-bedded hospital was under construction in the district. Even though the hospital lacked physical structures, health equip-

ment was available for immediate service to the patients. The government hospital in the community had nine vacant positions.

There were 4,500 senior citizens among 41,376 people enrolled under the government's health insurance scheme in the district.

Bheri Municipality, Chedagada Municipality and Nalgada Municipality laid the foundation for the construction of the hospital on November 30, 2020 and started the construction work. However, the construction work has not been started in Barekot, Kushe, Shivalaya and Junchade Rural Municipality yet. Seventy percent construction work of 70-bedded Jajarkot District hospital was completed.

There were 1,806 people dignosed with COVID-19 and among them eight died.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
Rape	1	3	4
Total	**1**	**3**	**4**

WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	2		2	4
Polygamy			2	2
Rape		1	1	2
Total	**2**	**1**	**5**	**8**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	4	4

6.8 Rukum West

Total Population	1,66,354
Women	85,291
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	Not Available
No. of Migrant Workers	Not Available
Population of Disability	Not Available
Literacy above 5 yrs (%)	62.09
Dependent Population	Not Available

There were eight male victims of Human Rights violation and 60 victims (44 female and 16 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; five were arrested, and three were deprived of the right to assembly and association. Similarly, nine were the victims of Child Rights Violation, 33 were victims of Women Rights Violation, 15 were victims of beating, one was the victim of inhumane behaviour, two were victims of killing.

ARREST

The cadres of ANNISU Revolutionary- Prem Prashant Bohara, 20, of Triveni Rural Municipality-2, Sagar Budha, 19, Kiran Rasaili, 27 and a 17-year-old and a 16-year-old boy of Musikot Municipality-1 were arrested on February 1, 2021. They were arrested for secretly conducting programs of the party. The health checkup of all the accused were conducted at the District Hospital, Salle, Rukum West on the same day. Prem Prashant Bohara was released on bail of NPR 15,000 on February 24. Sagar Budha and Kiran Rasaili were released on bail of NPR 10,000 each on February 7. A case was registered in the district court against the two minors as their case could not be heard due to the lack of juvenile court in the district administration office. The case was not decided till the end of 2021.

INHUMANE BEHAVIOUR

Shasiram Budhathoki, 48, Ward Chairperson of Rasanivheri Rural Municipality-8 was misbehaved by the cadres of by Netra Bikram Chand (Biplava) -led CPN on July 27, 2021. The accused were identified as Shiva BK, 23, of Aathbiskot Municipality-3 and Prakash Rasaili, 23, of Aathbiskot Municipality-11. A complaint was filed against the accused at the District Police Office on July 27. The accused had misbehaved the victim by rub-

bing shoot on his face and putting a garland of shoes on him. In a press release, Shiva BK, secretary of the Communist Party of Nepal from Sanobheri Committee said that action was taken against the ward chairperson by them. The party alleged the victim of embezzlement of NPR 300,000 from the fund of the Project Consumer Committee of Chharepani Lower Aamdanda Irrigation. The health checkup of the accused was conducted at the District Hospital, Salle, Rukum West on July 28. Police filed a case against them on August 19. Shiva BK and Prakash Rasaili were released on bail of NPR 15,000 and NPR 10,000 respectively on August 21. The case had not been adjudicated till the end of 2021.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but there were 141 inmates, including eight women. There was a male inmate above 60 years of age. There were five dependent children at the prison. There were two inmates with chronic mental illness. The jail had inadequate toilets and living space. The inmates had access to drinking water, library, means of communication and leisure activities and the inmates also had opportunities for income generation. One Assistant Health Worker was posted at the jail for the regular treatment of the inmates.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 36 criminal cases out of 148 and 129 civil cases among 197 that were registered in 2021. There were 91 cases (34 criminal and 57 civil) that had not been decided for over a year.

CHILD RIGHTS

Educational Status

The district has 195 elementary schools and 81 secondary schools. There were positions for 1,091 teachers in the district out of which 19 positions were vaccant. This year 60,000 girls and 60,338 girls were enrolled in the school. Among them, 550 girls and 502 boys were with disability. There were four disability-friendly schools in the district. Twenty-one children from conflict-affected families, 21 children of martyrs' family and 18 children of migrant workers had received scholarships. There were 14,212 girls and 14, 204 boys from Dalit families enrolled in the schools. Among them, 4,767 girls and 4,845 boys received scholarships. All the schools remained closed in 2021 due to COVID-19. Online classes and classes through FMs were not effective.

INSEC documented eight victims of rape and one of sexual abuse. Four accused of rape were sent to judicial custody, two had not been arrested till the end of the year, and one was arrested for investigation. One accused was handed over to the parents.

Type of Events		By State		By others		
		Male	Total	Female	Male	Total
Arrest		5	5			
Beating					15	15
Inhumane Behaviour					1	1
Killing				2		2
Right to Assembly		3	3			
Child Rights	Rape			8		8
	Sexual Abuse			1		1
	Total			**9**		**9**
Women Rights	Domestic Violence			23		23
	Polygamy			4		4
	Rape			4		4
	Attempt to Rape			1		1
	Sexual Abuse			1		1
	Total			**33**		**33**
Grand Total		**8**	**8**	**44**	**16**	**60**

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 30 women filed complaints at the Women, Children and Senior Citizens' Service Centre among which five were victims of beating and home eviction, four of deprivation of food and clothes, two of deprivation of birth certificate and citizenship, 10 of domestic dispute and nine of polygamy. Sixteen cases were reconciled and 12 were in the legal process.

INSEC documented 23 were victims of domestic violence, four of rape, one of sexual abuse, one of attempt to rape, and four of polygamy. The accused of sexual abuse was released on general notice and one accused of rape was sent to judicial custody. Accused of two cases were not arrested till the end of 2021. One was arrested for investigation.

Chandika Pun, 23, of Musikot Municipality-11 appealed Police, INSEC, WOREC and Women's Network for justice on August 7, 2021, after she was brutally beaten by her husband Shiva Kumar Oli, 25. According to the statement of the victim, her husband had misbehaved and beaten her until she was in a critical state. After the appeal of the victim, INSEC, WOREC, Women's Network and Musikot Municipality took the initiative to file a case at the District Police Office on August 9. The accused was arrested on the basis of the victim's verbal complaint on August 4. The victim was treated at the district hospital with the help of Musikot Municipality, INSEC, WOREC and Women's Network. Police registered against the accused in the district court on September 1. The perpetrator was ordered to pay NPR 100,000 compensation and NPR 5,000 medical expenses to the victim. After failing to pay the amount, the accused remained in jail. The case had not been adjudicated till the end of 2021.

HEALTH SERVICES

The district has a government hospital, four municipal hospital, 24 health posts, ten urban health centres, 106 vaccination centres, 68 clinics and 44 primary health centre. The district had one position for dentist and two for doctors among which there are two dentists, one doctor and five doctors were hired on contract. There were four positions for specialist doctors among which three are vacant.

There were 20, 609 beneficiaries of health insurance and among which 6,897 were senior citizens. The free treatment program covers 109 with complete disability and 53 with HIV. Six local levels of the district established COVID special Hospitals.

The construction work of the hospital whose foundation was laid on November 30, 2020, has not started due to issues of land. Tenders have been asked by all six local levels.

There were 3,186 people dignosed with COVID-19 and among them, 34 died. There were 82,408 fully vaccinated people in the district.

Number of Incident with Status of Legal Proceeding in 2021					
CHILD RIGHTS					
Type of Events	**Investigation**		**Legal Proceeding**		**Total**
Rape	3		5		8
Sexual Abuse			1		1
Total	**3**		**6**		**9**
WOMEN RIGHTS					
Type of Events	**Closed Case**	**Compromise**	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence	1	19	2	1	23
Polygamy				4	4
Rape			2	2	4
Attempt to Rape				1	1
Sexual Abuse				1	1
Total	**1**	**19**	**4**	**9**	**33**
Number of Incidents					
Type of Events		**Legal Proceeding**		**Total**	
Killing		2		2	

6.9 Salyan

Total Population	2,38,668
Women	1,23,715
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	69,605
No. of Migrant Workers	14,213
Population of Disability	6,233
Literacy above 5 yrs (%)	64.04
Dependent Population	20,174

There was one victim of Human Rights violation who died in detention and 57 victims (54 female and three male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; 22 were victims of Child Rights Violations, 28 were victims of Women Rights Violation and seven were the victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 45 inmates but there were 129 prisoners, including 24 women. There were three dependent Children in the jail. The position for one health worker in the jail was vacant. Jail had one inmate with general mental illness, three inmates were (two female and one male) above the age of 60 and three inmates were with Diabetes and pressure.

Death in the Detention

Jiwlal Bohora, 84, a prisoner in the Salyan jail lost his life on March 6, 2021 at District hospital, Salyan during the course of treatment. He was being admitted in the hospital since one week after being bed-ridden due to weakness. According to the medical officer, Bohora's heart was not working properly when he was brought to the hospital. Bohora's body was legally handed over to his family on the same day. Jiwlal Bohora of Kapurkot Rural Municipality-4, Dhanbang was sentenced on 2015 for eight years by the District Court of Salyan on the charge on rape. He was however sent to the prison on January 20, 2021 as he ran away after the verdict in 2015.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 86 criminal cases out of 158 and 193 civil cases among 312 that were registered in 2021. There were 27 cases (13 criminal and 14 civil) that had

not been decided for over a year. Court had appointed nine employees on contract while 15 positions were vacant till the end of the year.

CHILD RIGHTS

Educational Status

The district has 357 elementary schools, 85 secondary schools on community level and 42 elementary schools and nine organizational secondary schools. There were positions for 1602 teachers in the district. This year 38,165 girls and 38,442 boys were enrolled in the schools. 28 children of conflict-affected families and 23 children from the migrant worker's families had received scholarships. There was provision of free education for Dalit and for children with disabilities. Free education had been ensured for children from Dalit community and those with disabilities. All the children of studying age were enrolled in the schools. 6,859 boys and 7,060 girls belonging to Dalit families were enrolled in the schools this year.

INSEC documented 15 victims of rape, five of sexual abuse, one of child marriage and one of trafficking. District court imprisoned two accused of rape, nine accused were sent to the judicial custody, one accused committed suicide, one was sent to the child rehabilitation centre and four accused were not arrested till the end of this year.

One accused of sexual harassment was not arrested till the end of this year, one was sent to the child rehabilitation centre, one accused was arrested and investigation was going on. One case of rape was asked to be converted into sexual harassment's case, after the victim's failure to do so, the case didn't proceed forward. Accused of the child marriage was not arrested till the end of this year.

Rape, Sexual Abuse

A verbal complaint was filed against Dor Bahadur Bali, 43, of Kalamiti Rural Municipality-4, Kalche at the District Police on February 2, 2021 alleging that he had raped a 13-year-old girl on January 19 and 21. The health checkup of the victim was conducted at Slayan District Hospital on February 3. A written complaint was filed by the victim's side on February 3. The accused was arrested by the police on February 2 from his residence. Police registered the case of rape against the accused in the District Court on February 25. The accused was found guilty on April 5 and was sentenced to jail for 18 years and was charged a fine of NPR 600,000.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Death in Jail		1	1			
Killing				4	3	7
Child Rights	Child Marriage			1		1
	Child Trafficking			1		1
	Rape			15		15
	Sexual Abuse			5		5
	Total			**22**		**22**
Women Rights	Domestic Violence			13		13
	Witchcraft Allegation			4		4
	Polygamy			7		7
	Rape			2		2
	Attempt to Rape			2		2
	Total			**28**		**28**
Grand Total		**1**	**1**	**54**	**3**	**57**

ALL KINDS OF VIOLENCE AGAINST WOMEN

INSEC documented 13 victims of domestic violence, two of rape, two of Attempt to Rape, four of witchcraft allegation and seven of polygamy. Two accused of rape, two accused of attempt to rape and two accused of polygamy were sent to judicial custody. Three accused had not been arrested till the end of 2021. One

accused was sent to judicial custody and one was released on a bail amount of NPR 1,15,000.

HEALTH SERVICES

The district has one government hospital, seven community health units, 45 health posts, two primary health centres, 35 basic health centres, four municipal health centres, and 171 clinics. The government hospital had six vacant positions of specialist doctors, six staff nurses and two auxiliary nurse-midwives. The health insurance and senior citizen insurance had not been started yet.

The construction work of the hospital at six local levels whose foundation was laid on November 30, 2020, are being constructed in Chhatreswori, Kapurkot, Darma, Sarada, Kalimati and Kumakhgaun municipalities, while Bangad Kupinde, Bagchaur and Siddhakumakh have not been able to move ahead in the tender process.

There were 1,985 people dignosed with COVID-19 among them 44 died.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Child Marriage			1	1
Child Trafficking		1		1
Rape	2	5	8	15
Sexual Abuse		2	3	5
Total	**2**	**8**	**12**	**22**

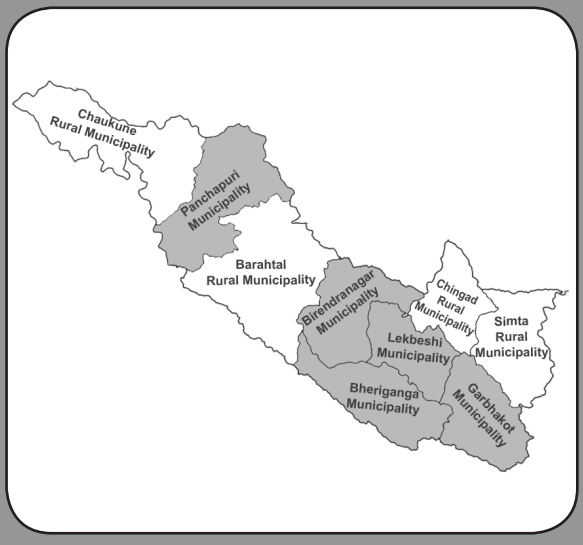
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	1	7		5	13
Witchcraft Allegation				1	1
Polygamy			3	4	7
Rape				2	2
Attempt to Rape				2	2
Total	**1**	**7**	**3**	**14**	**25**

Number of Incidents

Type of Events	Investigation	Legal Proceeding	Total
Killing	2	5	7

6.10 Surkhet



Total Population	4,17,773
Women	2,15,740
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	1,04,492
No. of Migrant Workers	23,197
Population of Disability	10,291
Literacy above 5 yrs (%)	73.12
Dependent Population	1,73,258

There were 12 victims (one female and 11 male) of Human Rights violation and 62 victims (57 female and five male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violation; three were victims of beating, two were injured, and seven were deprived of the right to assembly and association. Similarly, seven were the victims of Child Rights Violation, 48 were victims of Women Rights Violation, six of beating, and one victim of killing were documented under human rights abuse.

INJURED IN EXPLOSION

Leela Nepali, 21, and Naresh Nepali, 15, of Gurans Rural Municipality-6 were injured in the explosion of the detonator at Katakuwa Community Forest in Birendranagar Municipality-7 on October 23, 2021. They were rescued by the locals and Nepal Army and were taken to Deuti Nursing Home and Eye Hospital of Surkhet. The two had gone to the forest to collect fodder. Leela sustained minor injuries and was discharged whereas Naresh lost the vision of his right eye. Naresh had his eye surgery on October 24. The detonator may have been placed for the training of the soldiers since there was Naya Sabuj Battalion Kapase Barrack nearby. INSEC Karnali Province Office had financially helped the victim for treatment on October 26 after the guardian of the children requested the Human Rights Help Desk to take necessary steps for the treatment and compensation for the children. INSEC conducted an onsite mission on October 28 and 29. The onsite monitoring team had suggested the Government of Nepal to take steps to provide appropriate treatment, relief, higher education, employment and compensation.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Beating			3	3	1	5	6
Injured		1	1	2			
Killing					1		1
Right to Assembly			7	7			
Child Rights	Child Trafficking				1		1
	Rape				5		5
	Sexual Abuse				1		1
	Total				**7**		**7**
Women Rights	Domestic Violence				46		46
	Sexual Abuse				2		2
	Total				**48**		**48**
Grand Total		**1**	**11**	**12**	**57**	**5**	**62**

The victims had not received any relief or medical treatment from the state till the end of 2021.

THREAT/ BEATING

By Others

Dr Shankar Prasad Rijal, 38 and Dr Yadav Prasad Upadhyay, 40, of Karnali Provincial Ayurveda Hospital were beaten by Pawan Adhikari, 18, of Birendranagar Municipality-2, Bibek Puri, 18, of Ward No. 4 and Salim Bharati, 16 on June 10, 2021. A group of eight people, including Puri and Bharati, had beaten the doctors while they were on their way home after checking the infected people in the isolation of the hospital. Both the doctors were treated at the hospital on June 10. A complaint was filed against the accused at the District Police Office on June 11 and the accused were arrested on the same day. A case was filed against them at the District Administration Office on June 17. The accused were released on a bail of NPR 5000 each.

JAIL AND DETENTION

The District Jail has the capacity of holding 100 inmates but there were 373 inmates, including 45 women. There were five dependent children at the prison. There were ten inmates with mental illness. The position of Assistant Health Worker at the jail was vacant.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with two judges had adjudicated 197 criminal cases out of 247 and 201 civil cases among 259 that were registered in 2021. There were 26 cases (17 criminal and nine civil) that had been carried over from 2020.

CHILD RIGHTS

Educational Status

The district has 487 elementary schools and 108 secondary schools. There were positions for 2,087 teachers in the district. There were 70,304 girls and 39,843 boys enrolled this year, including 169 girls and 226 boys with various disabilities. There are 10 disability-friendly schools in the district. Ninety-four children from conflict-affected families and 97 children from Martyr's families had received scholarships.

INSEC documented five victims of rape, one of sexual abuse and one of trafficking. The accused of sexual abuse was not arrested till the end of 2021, two accused of rape were sent to judicial custody, one minor accused was handed over to and nine accused of one case were released on bail of NPR 100,000 each.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 528 women filed complaints at the Women, Children and Senior Citizens' Service Centre among which 396 were reconciled. Sixty-one complaints were in legal process. The court concluded forty-four cases, and 69 cases were pending.

INSEC documented 46 victims domestic violence and two of sexual abuse. Twenty-nine cases of domestic violence were reconciled, 16 were sent to court and

one accused was sent to judical custody. Both the accused of sexual abuse were sent to judicial custody.

HEALTH SERVICE

The district has two government hospitals, 47 health posts, three primary health centres and 19 municipal health centres. The hospitals whose foundations were laid at the local level were still under construction and not completed till the end of this year. There were 67 vacant positions of specialist doctors and 87 positions of staff nurses at the government hospital.

There were 22,542 senior citizens enrolled in the government's health insurance scheme among the 55,857 people have enrolled in the government's health insurance scheme. The government's temporary COVID hospital has been managed in a different building. It provided critical care.

The construction work of the hospital whose foundation was laid on November 30, 2020, has not been completed yet. The government had targeted to build 15-bedded hospitals in nine local levels. From July 19, 2021, Birendranagar Municipality-6 started operating the municipal hospital.

There were 6,553 people dignosed with COVID-19 and among them 12 died.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Child Trafficking		1		1
Rape	1		4	5
Sexual Abuse		1		1
Total	**1**	**2**	**4**	**7**

WOMEN RIGHTS

Type of Events	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	29	1	16	46
Sexual Abuse			1	1
Total	**29**	**1**	**17**	**47**

Number of Incident

Type of Events	Legal Proceeding	Total
Killing	1	1

Sudurpashchim Province

- Area: 19,539 sq. km.
- Population: 27,11,270
- Literacy Rate: 6154
- District: 9
- Electoral Constituency (Parliamentary): 16
- Electoral Constituency (Provincial): 32
- Sub-Metropolitan City: 1
- Municipality: 33
- Rural Municipality: 54
- Total Ward No.: 734

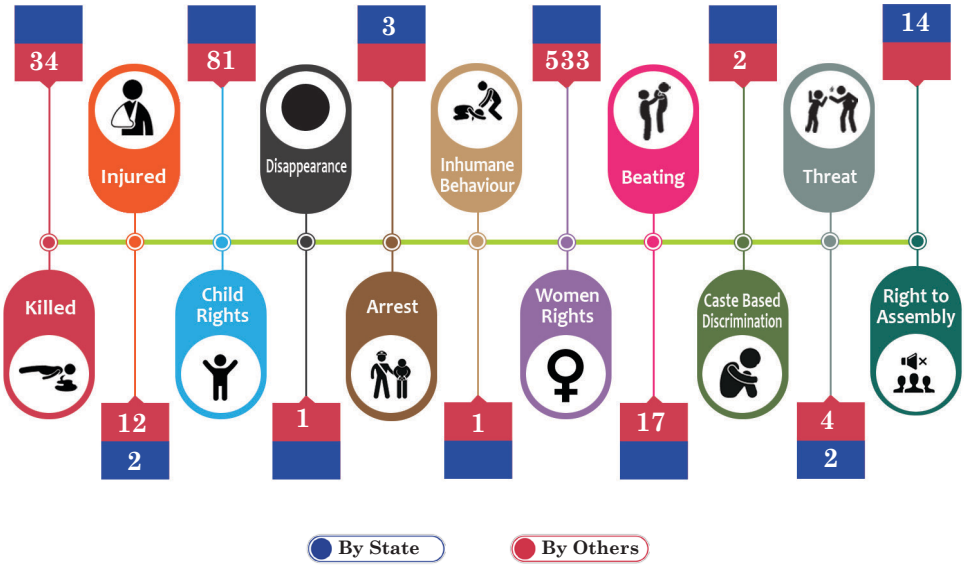
Introduction: Sudurpashchim Province

The government of Sudurpashchim Province adopted the policy of good governance and prosperity. Fifty-seven laws were promulgated till the end of 2021 by the provincial assembly. The government had declared the educational scholarship, protection for the minorities, women empowerment reservation for the needy people and entrepreneurship programs for the protection of the women and girls.

This year, 530 houses were handed over through the People's Housing Programme to the targeted population and 65 houses were handed over under Chief Minister's integrated housing development program. The government of Sudurpashchim Province built 10 hospitals as COVID-19 dedicated hospital for ensuring the treatment of the infected persons. This year, 34,545 persons were diagnosed with COVID-19, and among them 563 died. Foundations for the construction of 54 hospitals were laid on November 30, 2020 under the "One Local Government One Hospital Program" of the federal government.

There were 21 victims (two female and 19 male) of Human Rights violations and 685 victims (627 female and 58 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violations; three were arrested, two were injured, and 14 were deprived of their right to assembly and two were threatened. Similarly, 81 were victims of Child Rights Violation, 533 were victims of Women Rights Violation, 17 were victim of beating, one of inhumane behavior, 12 were injured, two were victims of caste based discrimination, four of threatening, and 34 were victims of killing among the documented victims of abuse.

No. of Victims by Incident (In 2021)



7.1 Bajura

Total Population	1,38,998
Women	71,390
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	85,867
No. of Migrant Workers	8,054
Population of Disability	5,855
Literacy above 5 yrs (%)	55.07
Dependent Population	79,699

There were 50 female victims of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuse; five were the victims of Child Rights Violation and 45 were victims of Women Rights Violation.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but there were 50 male inmates, two of whom had chronic illness. The jail did not have enough living space and the building was in a vulnerable condition. The inmates had access to drinking water, skill-based trainings, library, games, newspapers, television, chess, ludo, carrom board, and toilets. One position of health officer for regular check-up of the inmates was vacant and inmates had to be taken to the district hospital even for minor treatments. Eleven inmates were infected during the second wave of COVID-19.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 42 criminal cases out of 55, and 13 civil cases among 34 that were registered in 2021. There were four cases (three criminal and one civil) that had not been decided for over a year. The court had appointed 13 temporary staff and six were hired on contract.

CHILD RIGHTS

Educational Status

The district has 186 elementary schools, 65 secondary schools and 238 community schools. There were positions for 1,368 teachers out of which 133 positions were vacant. There were 27,141 girls and 25,906 boys enrolled in school this year among which 205 girls and 253 boys were with disabilities. There were no disability-friendly schools in the district,

Type of Events		By Others	
		Female	Total
Child Rights	Rape	4	4
	Sexual Abuse	1	1
	Total	**5**	**5**
Women Rights	Domestic Violence	42	42
	Rape	3	3
	Total	**45**	**45**
Grand Total		**50**	**50**

however, special classes for them were conducted in two places.

Thirty children from conflict-victim's famlies received the scholarship.

INSEC documented four victims of rape and one of sexual abuse. Two accused of rape were released on bail of NPR 100,000 and NPR 25,000 respectively, one minor accused was sent to child rehabilitation centre and one was not arrested till the end of 2021. The accused of sexual abuse was sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

Domestic Violence

This year, 46 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which 28 were the victims of beating after consumption of alcohol and 18 were of deprivation of food and clothes. All the cases were reconciled.

INSEC documented 42 victims of domestic violence and three of rape. One accused of rape was sentenced to jail, one was sent to judicial custody and one was not arrested till the end of 2021.

Rape, Attempt to Rape and Sexual Abuse

A complaint was filed against Surendra Dhami, 21, of Khaptad Chedaha Rural Municipality-4 at the District Police Office on January 31, 2021, alleging that he had raped a 16-year-old girl on January 29. The health checkup of the victim was conducted at District Hospital on January 31. The accused was arrested by the police on January 31 while he was hiding near his residence. Police registered a case against the accused in the District Court on February 5. The accused was found guilty on July 13 and was sentenced to jail for seven years and was charged a fine of NPR 200,000.

HEALTH SERVICES

The district has a government hospital, 26 health posts, one primary health centre, 11 community health centres, 10 municipal health units, and 28 elementary health service centres. There were vacant positions for two doctors and one auxiliary nurse-midwife.

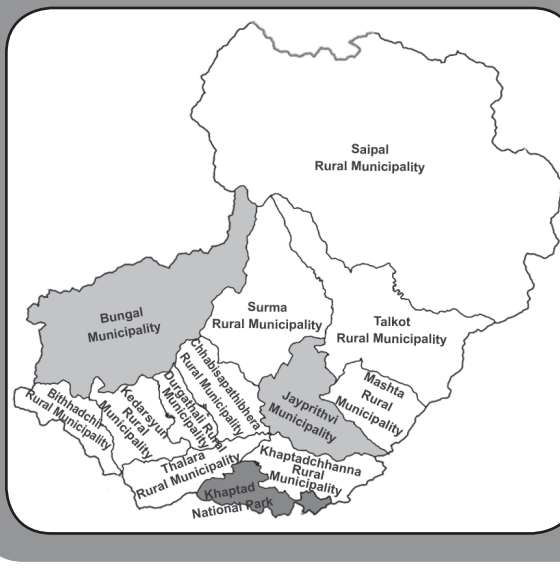
There were 30,000 people with health insurance out of which 7,780 people had taken insurance benefits in this fiscal year. Patients had to be sent to Bayalpata in Achham, Dhandagi and Pyuthan for effective treatments. Hospitals prioritize senior citizens in the course of treatments. This year 79,220 were fully vaccinated against COVID-19.

The foundation of the 10-bedded and 15-bedded local level hospitals was laid on November 30, 2020, but the construction work had not started yet. Himali Rural Municipality, Gaumul Rural Municipality, Budhiganga Municipality and Tribeni Municipality had established temporary COVID hospitals while Budhinanda Municipality already had one.

There were 1,527 people diagnosed with COVID-19 and among them, 12 died.

Number of Incident with Status of Legal Proceeding in 2021					
CHILD RIGHTS					
Type of Events		**Investigation**	**Legal Proceeding**		**Total**
Rape		1	3		4
Sexual Abuse			1		1
Total		**1**	**4**		**5**
WOMEN RIGHTS					
Type of Events	**Closed Case**	**Compromise**	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence		42			42
Rape	1		1	1	3
Total	**1**	**42**	**1**	**1**	**45**

7.2 Bajhang



Total Population	1,89,097
Women	1,00,109
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	1,10,465
No. of Migrant Workers	22,845
Population of Disability	4,976
Literacy above 5 yrs (%)	55.6
Dependent Population	1,10,406

There were 115 victims (111 female and four male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; eight were victims of Child Rights Violation, 102 were victims of Women Rights Violation, two were victims of beating, one was victim of inhumane behaviour, and two were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but there were 74 male inmates in the jail. There were two inmates above the age of 60. The inmates had access to drinking water, toilet, family meetups, means of communication and leisure activities but the jail lacked a library and enough living space. One health worker was posted at the jail for the regular health checkup of the inmates. As per the need, the prisoners were also taken to the District Hospital. There were four male inmates above the age of 60 and one inmate with chronic illness. The jail only accommodated male inmates while women inmates were sent to the prisons of other districts including Doti and Dadeldhura. Two inmates were diagnosed with COVID-19. The jail only had two toilets and lacked enough drinking water.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 36 criminal cases out of 83, and 14 civil cases among 49 that were registered in 2021. There were 26 cases (13 criminal and 13 civil) that had not been decided for over a year. Court had hired seven employees on contract and six positions were vacant.

CHILD RIGHTS

Educational Status

The district had 360 elementary schools and 82 secondary schools. There

were positions for 1,063 teachers in the district. There were 28,050 girls and 25,507 boys enrolled in the schools this year. There were only four disability-friendly schools in the district. This year 3,600 girls and 3,400 boys from Dalit families were enrolled in the schools. Due to the unavailability of the internet and phones, schools couldn't run online classes. Many schools had a scarcity of drinking water, games and materials and were far away because of which students possessed security threats. Heavy rainfall from October 17 to October 19 had destroyed many school buildings due to which students were compelled to study in the open space.

INSEC documented three victims of rape and five of sexual abuse. Two accused of rape were sent to judicial custody and one was not arrested till the end of 2021. One accused was sentenced to jail for three months, two accused were released on bail of NPR 100,000 each and one was not arrested till the end of 2021.

Rape, Sexual Abuse

A complaint was filed against Rajendra Bahadur B.K, 19, of Mastha Rural Municipality-2, Khikala at the District Police Office on July 20, 2021, alleging that he had sexually harassed a 16-year-old girl on July 20. The health checkup of the victim was conducted at Simkhel District Hospital on July 20. The accused was arrested by the police on July 20 from his residence at Aarughat Rural Municipality-6. Police registered a case of attempt to rape against the accused in the District Court on July 31. The accused was found guilty on September 29 and was sentenced to jail for three months years. He was released from jail on November 24.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 120 complaints were filed in Women, Children and Senior Citizens' Service center. All the complaints were reconciled.

Type of Events		By Others		
		Female	Male	Total
Beatings			2	2
Inhuman Behaviour			1	1
Killing		1	1	2
Child Rights	Rape	3		3
	Sexual Abuse	5		5
	Total	**8**		**8**
Women Rights	Domestic Violence	99		99
	Polygamy	1		1
	Rape	1		1
	Attempt to Rape	1		1
	Total	**102**		**102**
Grand Total		**111**	**4**	**115**

INSEC documented ninety-nine victims of domestic violence, one of rape, one of Attempt to Rape and one of polygamy. The accused of rape was sent to judicial custody and the accused of Attempt to Rape was released on a general date. The accused husband of polygamy was sent to judicial custody and the accused second wife was released on bail of NPR 50,000.

Killed by Family Member

A complaint was filed against Suwash Japrel, 23, at the District Police Office on September 13, 2021, alleging that he had killed Rikhi Devi Japrel, 43, of Durgathali Rural Municipality-5, Bhalaneki on September 12. The postmortem of the body was conducted at Simakhel District hospital on September 17. The accused was arrested by the police on September 18 from a jungle nearby his residence. Police registered a case of intentional homicide against the accused in the District Court on October 4. The accused was sent to judicial custody on October 5 and is still in the custody.

Domestic Violence

A complaint was filed against Manoj Damai, 25, at the District Police Office on July 18, 2021 alleging that he had attacked Janaki Nepali, 23, of Jaya Prithivi Municipality-1, Kailash Bhandar, with knife, cut her ear and injured her on July 10. The health checkup of the victim was conducted at Simakhel District hospital. The accused was arrested by the police on July 19 from his residence. Police registered a case of attempt to murder against the accused in the District Court on August 8. The accused was bailed in the bail amount of NPR 50,000 on August 10 and the case is yet to be adjudicated.

HEALTH SERVICES

The district has a government hospital, one community hospital, 47 health posts, two municipal health centres and two primary health centres. There were vacant positions for one specialist doctor and one auxiliary nurse-midwife.

There were 36,718 people with health insurance, including 4,018 senior citizens. Patients had to be sent to Rayal Primary Health Centre, Deulekh Primary Health Centre, District Hospital, Dadeldhra Hospital, Dhangadi and Nepalgunj for effective treatments. Hospitals prioritize senior citizens in the course of treatments. No separate COVID-19 hospitals were established in the district.

The foundation of the local level hospitals was laid on November 30, 2020, and the construction work had started at Saipal Rural Municipality, Khaptadchhanna Rural Municipality, Chhabispathibhera Rural Municipality and Thalara Rural Municipality.

This year 954 people were diagnosed with COVID-19 in the district and among them, 22 died.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Rape		1	2	3
Sexual Abuse	1	1	2	4
Total	**1**	**2**	**4**	**7**

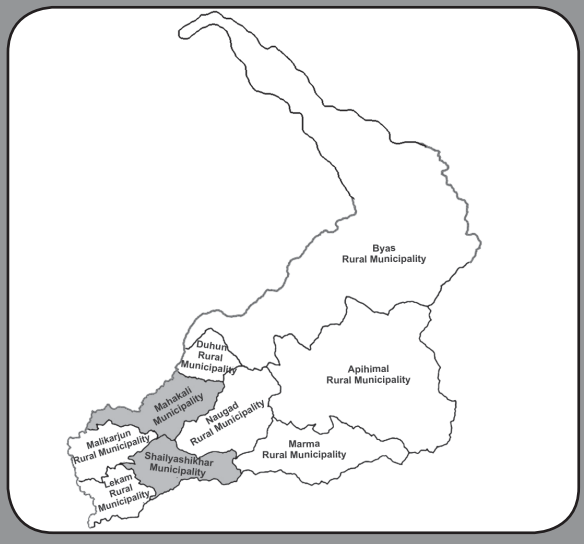
WOMEN RIGHTS

Type of Events	Compromise	Legal Proceeding	Total
Domestic Violence	95	3	98
Polygamy		1	1
Rape		1	1
Attempt to Rape		1	1
Total	**95**	**6**	**101**

Number of Incidents

Type of Events	Legal Proceeding	Total
Killing	2	2

7.3 Darchula



Total Population	1,35,056
Women	69,707
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	70,003
No. of Migrant Workers	6,864
Population of Disability	3,669
Literacy above 5 yrs (%)	65.4
Dependent Population	66,405

There were 51 victims (49 female and two male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; five were victims of Child Rights Violation, 41 were victims Women Rights Violation, one was missing, and four were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 40 inmates but there were 56 inmates, including three female. Thirty two inmates were dignosed which COVID-19 and recoved in the jail.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 22 criminal cases out of 40 and 11 civil cases among 45 that were registered in 2021. The court had adjudicated five cases out of 41 carried over from 2019.

CHILD RIGHTS

Educational Status

The district has 291 elementary schools and 73 secondary schools. There were positions for 1,333 teachers. There were 22,324 girls and 22,208 boys enrolled this year. Ten children of conflict-affected families had received scholarships. There were 2,634 girls and 2,649 boys from Dalit families enrolled in the schools this year.

INSEC documented three victims of rape, one of sexual abuse and one of child marriage. Two accused of rape were sentenced jail, another was sent to judicial custody. The accused of sexual abuse was sentenced to jail. An accused of child marriage was sent to judicial custody and another was sent to child rehabilitation centre.

Rape, Sexual Abuse

A complaint was filed against Kapil Ram Koli, 25, of Mahakali Municipality-7 at the District Police Office on June 13, 2021, alleging that he had raped a 15-year-old girl on June 4. The health

Type of Events		By Others		
		Female	Male	Total
Disappearance			1	1
Killing		3	1	4
Child Rights	Child Marriage	1		1
	Rape	3		3
	Sexual Abuse	1		1
	Total	**5**		**5**
Women Rights	Domestic Violence	37		37
	Polygamy	1		1
	Rape	3		3
	Total	**41**		**41**
Grand Total		**49**	**2**	**51**

checkup of was conducted at the district hospital on June 13. The accused was arrested from his house on June 12. Police filed a case in the district court on June 13. The accused was found guilty August 14 and was sentenced to jail for seven years. He was also charged NPR 200,000 fine and NPR 50,000 compensation to the victim.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 67 women filed complaints of domestic violence at the Women Children and Senior Citizens' Service Centre among which 44 were reconciled and the remaining were sent to court.

INSEC documented 37 victims of domestic violence, three of rape and one of polygamy. One accused of rape was sentenced to jail and two were sent to judicial custody. The accused husband of polygamy was sent to judicial custody and the accused second wife was released on general date.

HEALTH SERVICES

The district has two government hospitals, 40 health posts, five elementary hospitals (under construction), 33 community health units, four municipal health centres, 144 clinics, 142 vaccination centres, eight microscopic centres, 42 DOTS centres and three sub-cold chain centres. There were vacant positions for two medical officers and one Medical Superintendent.

There were 1,182 people with health insurance.

There were 64,370 were fully vaccinated people in the district.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
Child Marriage	1		1
Rape	2	1	3
Sexual Abuse	1		1
Total	**4**	**1**	**5**

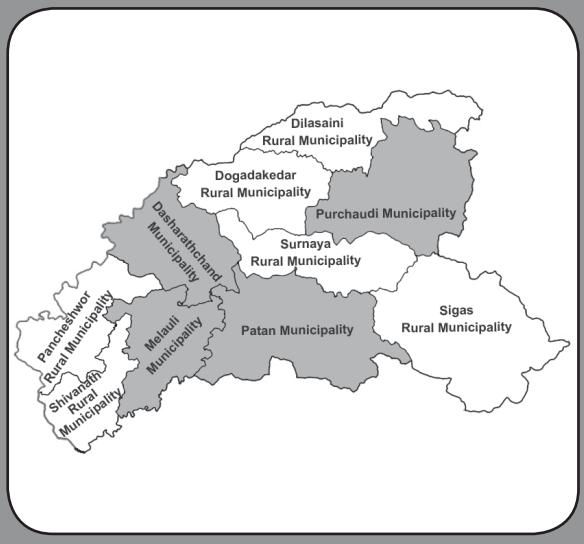
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Legal Proceeding	Total
Domestic Violence		37		37
Polygamy			1	1
Rape	1		2	3
Total	**1**	**37**	**3**	**41**

Number of Incidents

Type of Events	Closed Case	Legal Proceeding	Total
Killing	1	3	4

7.4 Baitadi



Total Population	2,44,400
Women	1,28,974
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	1,14,355
No. of Migrant Workers	21,039
Population of Disability	7,788
Literacy above 5 yrs (%)	63
Dependent Population	1,27,826

There were 63 victims (56 female and seven male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; nine were victims of Child Rights Violation, 44 were victims of Women Rights Violation, one was victim of caste-based discrimination, three were victims of beating and five were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but there were 84 inmates. One health worker was posted at the jail for the regular health checkup of the inmates. Jail had three male inmates above the age of 60. Due to overcrowding of the jail, it lacked enough living space

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 67 criminal cases out of 110 and 27 civil cases among 62 that were registered in 2021. There were two criminal cases and one civil case that had not been decided for over a year.

CHILD RIGHTS

Educational Status

The district has 436 elementary schools and 126 secondary schools. There were positions for 2,302 teachers in the district. There were 42,129 girls and 42,248 boys enrolled in 2021. Among them were 105 girls and 130 boys with disabilities. District had one disability-friendly school. This year, 10,383 girls and 10,099 boys from Dalit families were enrolled in the schools. Twenty-four children of conflict-affected families and three children of migrant workers had received scholarships.

INSEC documented six victims of rape, one of sexual abuse, one of child marriage and one of infanticide. Four accused

Type of Events		By Others		
		Female	Male	Total
Beating		2	1	3
Killing		2	3	5
Caste Based Discrimination			1	1
Threats			1	1
Child Rights	Child Marriage	1		1
	Infanticide		1	1
	Rape	6		6
	Sexual Abuse	1		1
	Total	**8**	**1**	**9**
Women Rights	Domestic Violence	39		39
	Polygamy	1		1
	Rape	2		2
	Attempt to Rape	1		1
	Women Trafficking	1		1
	Total	**44**		**44**
Grand Total		**56**	**7**	**63**

of rape were sent to judicial custody and one minor accused was sent to the child rehabilitation centre. The accused of sexual abuse was not arrested till the end of 2021. One accused of killing after rape was sent to child rehabilitation centre. The accused father of infanticide was sent to mental asylum of Lalitpur for treatment after he was found to be mentally unstable. The case is under legal procedure.

Killing after Rape

A complaint was against a 16-year-old boy of Dogadakedar Rural Municipality-7, Chadepani on February 17, 2021, alleging that he had raped and killed Bhagirathi Bhatta, 17, in a community forest on February 3. The accused was arrested on the same day and a post-mortem of the body was conducted on February 6 at the district hospital. Police registered a case at the District Court on February 18. The accused was remanded to judicial custody and sent to child rehabilitation on March 12. The last ritual of the deceased was performed on February 19 by locals and people from civil society organizations.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 52 women filed complaint of domestic violence at the Women, Children and Senior Citizens' Service Centre among which 50 cases were reconciled. In two cases, both parties expressed their will of taking the case to a different authority.

INSEC documented 39 victims of domestic violence, two victims of rape, one of Attempt to Rape, one of polygamy and one of trafficking. Two accused of rape were sent to judicial custody and one of Attempt to Rape was sentenced to jail for three years and six months. An accused husband of polygamy was sentenced to jail for one year and the accused second wife was released on a general date. Likewise, another accused husband of polygamy was sent to judicial custody and the accused second wife was released on a general date.

Rape, Attempt to Rape and Sexual Abuse

A complaint was filed against Rabindra Chand, 23, of Shivanath Rural Municipality-4 at the District Police Office on June 29, 2021, alleging that he had attempted to rape a 24-year-old woman on June 27. The health checkup of the victim was conducted at the district hospital on June 29. The accused was arrested on June 29 from his residence. Police registered a case against the accused at the District Court on June 30. The accused was remanded to judicial custody on July 14. The accused was found guilty on December 19 and was sentenced to jail for three years and six months and was charged a fine of NPR 100,000.

Killed by Family Member

A complaint was filed against Dhan Singh Mahara, 55, at the Area Police Office, Patan on February 6, 2021, alleging that he had killed his daughter Binita Mahara, 21, of Purchaudi Municipality-10, on February 6. The post-mortem of the body was conducted at the primary health centre, Patan, on February 7. The accused was arrested on February 9 from a local forest. Police registered a case against the accused at the District Court on February 10. The accused was found guilty on December 12, 2021, and was sentenced to life imprisonment.

HEALTH SERVICES

The district has a government hospital, two primary health centres, 65 health posts, 12 urban health centres and eight community health units. There was a vacancy for one specialist doctor, three staff nurses. There were four doctors and six staff nurses hired on contract.

There were 19,423 families with health insurance. There were 7,496 senior citizens with free health insurance. The hospital lacked free medicines provided by the government.

The foundation of seven local level hospitals out of ten was laid on November 30, 2020. However, the construction work was ongoing.

This year, 2,184 were diagnosed with COVID-19 in the district and among them, 18 died. There were 88,226 fully vaccinated people in the district.

Number of Incident with Status of Legal Proceeding in 2021

WOMEN RIGHTS

Type of Events	Closed Case	Investigation	Legal Proceeding	Total
Child Marriage			1	1
Infanticide	1			1
Rape		1	5	6
Sexual Abuse		1		1
Total	**1**	**2**	**6**	**9**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence		39			39
Polygamy				1	1
Rape				2	2
Attempt to Rape	1				1
Women Trafficking			1		1
Total	**1**	**39**	**1**	**3**	**44**

Number of Incidents

Type of Events	Closed Case	Legal Proceeding	Total
Killing	1	4	5

7.5 Dadeldhura

Total Population	1,39,420
Women	73,490
No. of Constituency (HoR)	1
No. of Constituency (PA)	2
Below Poverty Level	60,915
No. of Migrant Workers	11,670
Population of Disability	5,150
Literacy above 5 yrs (%)	65.3
Dependent Population	71,827

There were 45 female victims of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; three were victims of Child Rights Violation, 40 were victims of Women Rights Violation, and two were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 140 inmates and there were 106 inmates including 12 females. There were three dependent children at the jail. The position of one health officer was vacant. There were four inmates above the age of 60 (three male and one female) and two above the age of 70. The inmates were taken to Dadeldhura district hospital for their treatments. Two pregnant inmates received pregnancy leave. One inmate was diagnosed with COVID-19 and had recovered. The inmates had access to means of communication, skill-based training, leisure activities, and a library.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 39 criminal cases out of 75 and 24 civil cases among 53 that were registered in 2021. There were five (three criminal and two civil) cases that had not been decided for over a year. Four employees in the court were hired on contract while nine positions were vacant till the end of the year.

CHILD RIGHTS

Educational Status

The district has 192 elementary schools and 61 secondary schools. There were 796 positions for teachers out of which 120 were vacant. Two children of conflict- affected families were recommended for scholarship by the District Coordination Committee but they had not

received any scholarships yet. Students in rural areas were deprived from online classes due to scarcity of resources. Currently, schools have started operating physically.

INSEC documented three victims of rape.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 35 women filed a complaint of domestic violence at the Women, Children, and Senior Citizens' Service Centre. All the cases were reconciled. It was found that women took back the complaints after the family mediated in the dispute.

INSEC documented 40 victims of domestic violence and all of them were reconciled.

HEALTH SERVICES

The district has two government hospitals, two community hospitals, 25 health posts, and 23 municipal health centers. There were vacancies for 18 specialist doctors, 12 medical officers and 28 staff nurses.

There were 9,525 people affiliated with health insurance scheme. There were 3,229 senior citizens with free health insurance.

Type of Events		By Others	
		Female	Total
Killing		2	2
Child Rights	Rape	3	3
	Total	3	3
Women Rights	Domestic Violence	40	40
	Total	**40**	**40**
Grand Total		**45**	**45**

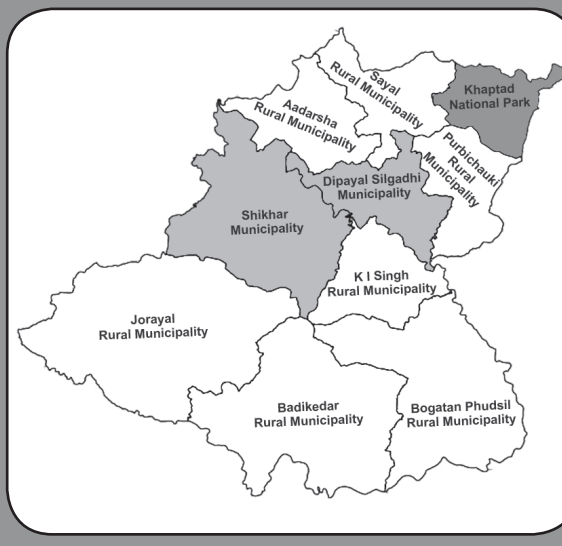
This year, 1,822 COVID-19 were diagnosed with COVID-19 in the district and among them, 22 died.

Asmita Dhami, 26, an employee of Jamarani Basic Health Unit of Parashuram Municipality-8 was killed by an unidentified person. She had left for Jogbuda Hospital with some remaining COVID vaccines and health supplies on June 16, 2021. Her dead body was found on June 19 with bruises, broken nose and tooth. Her dead body was found in the Hatwani Community Forest at Parashuram Municipality-9 on June 19 by the team of Border Post, Tatapani and Jogbuda Area Police Office. Notthing remarkable has been discovered in the case till the end of 2021.

Number of Incident with Status of Legal Proceeding in 2021		
CHILD RIGHTS		
Type of Events	**Legal Proceeding**	**Total**
Rape	3	3
Total	**3**	**3**
WOMEN RIGHTS		
Type of Events	**Copromise**	**Total**
Domestic Violence	40	40
Total	**40**	**40**

Number of Incidents			
Type of Events	**Investigation**	**Legal Proceeding**	**Total**
Killing	1	1	2

7.6 Doti



Total Population	2,05,683
Women	1,10,617
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

There were 28 female victims of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; three were victims of Child Rights Violation, 24 were victims of Women Rights Violation, and one was a victim of killing.

JAIL AND DETENTION

The District Jail had the capacity of holding 25 inmates but there were 52 male inmates. The jail had one inmate above the age of 60 years. One health worker was posted to oversee the health condition of the prisoners.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 24 criminal cases out of 60 and 12 civil cases among 29 that were registered in 2021. There were three (two criminal and one civil) cases that had not been decided for over a year.

High Court-Dipayal

The court had positions for seven judges but three positions were vacant. A total of 505 cases were transferred this year.

CHILD RIGHTS

Educational Status

The district has 292 elementary schools and 95 secondary schools. There were positions for 962 teachers. There were 76,356 students enrolled in the schools this year. Among them, 10,837 girls and 10,769 boys from Dalit families were enrolled this year. There were 75 disability-friendly schools.

INSEC documented one victim of rape, one of sexual abuse and one of child marriage. The accused of rape were sent to judicial custody and the accused of sexual abuse were not arrested till the end of 2012. The accused of child marriage was sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 13 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which all of them were sent to the court.

INSEC documented 21 victims of domestic violence, two of Attempt to Rapes and one of polygamy. An accused of Attempt to Rape was sent to judicial custody and another was not arrested till the end of 2021. The accused husband of polygamy was sent to judicial custody and the accused wife was released on bail of NPR 100,000.

Type of Events		By Others	
		Female	Total
Killing		1	1
Child Rights	Child Marriage	1	1
	Rape	1	1
	Sexual Abuse	1	1
	Total	**3**	**3**
Women Rights	Domestic Violence	21	21
	Polygamy	1	1
	Attempt to Rape	2	2
	Total	**24**	**24**
Grand Total		**28**	**28**

HEALTH SERVICES

The district has two government hospitals, three community hospitals, 49 health posts, two primary health centres and nine municipal health centres. There were vacancies for two positions of specialist doctors and two staff nurses.

There were 6,000 people affiliated with the health insurance scheme including 2,622 senior citizens.

This year, 2,922 people were diagnosed with COVID-19 in the district and among them, 11 died.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Investigation	Legal Proceeding	Total
Child Marriage		1	1
Rape		1	1
Sexual Abuse	1		1
Total	**1**	**2**	**3**

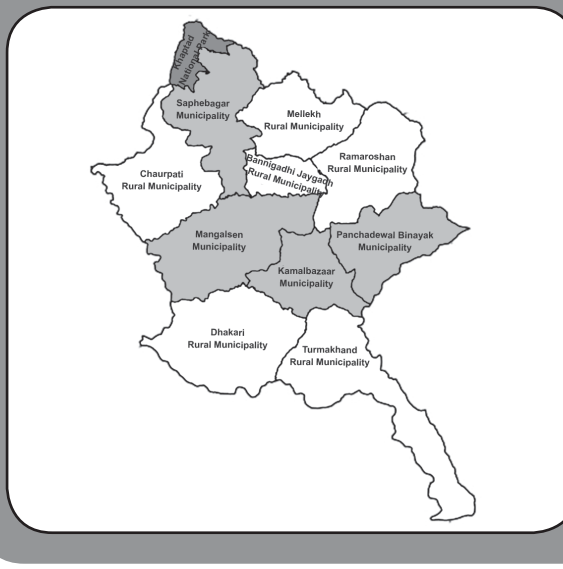
WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence	1	20			21
Polygamy				1	1
Attempt to Rape			1	1	2
Total	**1**	**20**	**1**	**2**	**24**

Number of Incident

Type of Event	Legal Proceeding	Total
Killing	1	1

7.7 Achham



Total Population	2,29,816
Women	1,23,576
No. of Constituency (HoR)	2
No. of Constituency (PA)	4
Below Poverty Level	1,20,931
No. of Migrant Workers	31,015
Population of Disability	8,602
Literacy above 5 yrs (%)	55.7
Dependent Population	1,44,565

There were 35 victims (27 female and eight male) of Human Rights abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; four were victims of Child Rights Violation, 20 were victims of Women Rights Violation, four were victims of beating, one was of caste-based discrimination, four were victim of killing and two were injured.

INJURED IN THE EXPLOSION

Brikha Rokaya, 33, of Ramaroshan Rural Municipality-5, Patal was injured in the grenade bomb blast in farmland near his home on October 8, 2021. Both of his hands, and forehead were injured in the incident. He was treated at Bayalpata Hospital on October 9. The blast occurred when he held the substance found in the farmland. The grenade is supposedly from the conflict period.

JAIL AND DETENTION

The District Jail had the capacity of holding 75 inmates but there were 83 inmates of which six were female. The jail had one dependent child and one HIV patient. No education facility was managed for the dependent child. An Epilepsy patient with mental illness was transferred to the Dhangadi jail for better treatment facilities. Jail had one female inmate above the age of 70. The jail had no walls because of which outsiders could easily supply materials to the inmates. There was the shortage of vehicles to transport the inmates from Achham to Bajura. Jail had a scarcity of solar, library, games and stuff and water from May to March. One health officer was posted for the checkup of the inmates. In case of severe illness, inmates are taken to the district hospital nearby. Diseases like gastritis, common cold and some related to skin were mostly seen in the inmates. Two inmates suffered from COVID-19 and recovered. With the help of Sudurpaschim Province, inmates

were trained to make furnitures, wooden stool and stitch clothes. Families of the inmates who comes to visit them had to maintain a 10-metre distance while meeting. Daily wage received by the inmates was very low.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with one judge had adjudicated 30 criminal cases out of 60 and nine civil cases among 36 that were registered in 2021. The court had two civil cases that had not been decided for over a year.

CHILD RIGHTS

Educational Status

The district has 395 elementary schools and 98 secondary schools. There were positions for 1,046 teachers in the district. Although, the district had not specified any disability-friendly school however, students with visual, hearing and speech impairment were taught in three separate schools in the district. There were 5,697 girls and 5,232 boys enrolled in the school this year out of which 15,626 girls and 15,599 boys were from Dalit communitee. Total of 132 students from conflict affected families received scholarships.

INSEC documented one victim of rape and three of sexual abuse. All the accused were sent to judicial custody.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 25 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre. Out of which, 21 cases were related to dispute between spouses and four were related to family dispute. All the complaints were reconciled.

INSEC documented 15 victims of domestic violence, two of rape, two of attempt to rape and one of polygamy. An accused of Attempt to Rape was sentenced to jail and another was released on a general date. An accused of rape was not arrested till the end of 2021. The accused husband and second wife of polygamy were arrested at the end of the year so they were still in custody for investigation.

Rape, Attempt to Rape and Sexual Abuse

A complaint was filed against Naresh Bahadur Khadka, 34, of Bannigadi Jayagad Rural Municipality-1, Gaajra at the District Police Office on July 5, 2021 alleging that he had attempted to rape a 23-year-old girl on June 17. The health checkup of the victim was conducted at District Hospital, Mangalsen on July 5 . Police registered a case of attempt to rape against the accused in the District Court on July 19. The accused was found guilty on September 26 and was sentenced to jail for four years and was charged a fine of NPR 100,000 along with compensation to the victim of NPR 100,000.

Killed by Family Member

A complaint was filed against Jitendra Buda, 30, at District Police Office on February 25, 2021 alleging that he killed his own mother, Kala Devi Buda, 60, of Safebagar Municipality-5, Mastamandu following household dispute on February 25. The accused was arrested by the police on February 26 from his residence. Postmortem of the body was conducted at District hospital, Achham on February 26. Police registered a case of intentional homicide against the accused in the District Court on March 17. The accused was sent to the judicial custody on March 19. The accused was found guilty on April 4 and sentenced with life time imprisonment.

ALL KINDS OF CASTE BASED DISCRIMINATION

A complaint was filed against Lok Bahadur Bista, 52 and Prem Bahadur Bista, 22 of Kamalbajar Municipality-1, Muli at District Police Office on February

Type of Events		By Others		
		Female	Male	Total
Beating			4	4
Injured		1	1	2
Killing		2	2	4
Caste Based Discrimination			1	1
Child Rights	Rape	1		1
	Sexual Abuse	3		3
	Total	**4**		**4**
Women Rights	Domestic Violence	15		15
	Polygamy	1		1
	Rape	2		2
	Attempt to Rape	2		2
	Total	**20**		**20**
Grand Total		**27**	**8**	**35**

19, 2021 alleging that they have discriminated Dane Kami, 56, based on his caste when they entered into land related dispute in the process of construction of the house on February 16. The accused was arrested by the police on February 16 from his residence. Police registered a case of caste based discrimination against the accused in the District Court on March 8. The accused were released on March 10 after deposition of bail amount of NPR 50,000 each. Accused Lok Bahadur Bista was found guilty on November 29 and was sentenced to jail for three months while accused Prem Bahadur was acquitted by the Court.

HEALTH SERVICES

The district has a government hospital, one community hospital, 72 health posts, one primary health center and two Municipal health centers. There were vacant positions for two specialist doctors, three staff nurses and two paramedics. Four medical officers, 13 staff nurses, 13 paramedics and one x-ray machine operator was hired on contract. There was the scarcity of Hospitals and medical personnels in the district. Even though free health service is available for the citizens, most of them are unaware of it and hence the service is not effective.

There were 43,000 people affiliated to health insurance schemes.

Due to lack of COVID related health service in the district, many were taken to Kathmandu and Nepalgunj for further treatment via helicopter. There were no separate COVID hospitals or isolation centers in the district. Except for the 15-beded hospital in Mellekh Rural Municipality, Primary health centres in Chaupati Rural Municipality and Kamalbazar Municipality, no other hospitals and health centers have been built in the district. Most of the patients were compelled to go to Mangelsen District hospital or Bayalpata Hospital for their treatments.

The foundation of the local level hospitals was laid on November 30, 2020. Among them, Panchadewal Rural Municipality had started its construction work but the work of other local levels were in the bidding process.

This year 4,617 people were diagnosed with COVID-19 and among them, 26 died.

Number of Incident with Status of Legal Proceeding in 2021					
CHILD RIGHTS					
Type of Events		**Legal Proceeding**		**Total**	
Rape		1		1	
Sexual Abuse		3		3	
Total		**4**		**4**	
WOMEN RIGHTS					
Type of Events	**Closed Case**	**Compromise**	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence		14		1	15
Polygamy				1	1
Rape			1	1	2
Attempt to Rape	1		1		2
Total	**1**	**14**	**2**	**3**	**20**

Number of Incidents			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Killing	2	2	4

7.8 Kailali

Total Population	9,11,155
Women	4,71,363
No. of Constituency (HoR)	5
No. of Constituency (PA)	10
Below Poverty Level	2,56,821
No. of Migrant Workers	62,644
Population of Disability	15,378
Literacy above 5 yrs (%)	66.3
Dependent Population	3,52,660

There were 15 male victims of Human Rights violation and 226 victims (211 female and 15 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights violation; three were the victims of arrest, two were injured, eight were deprived of their right to assembly, expression, and association and two were victims of threatening. Similarly, there were 30 victims of Child Rights Violation, 180 victims of Women Rights Violation, three were victims of threatening, four were victims of beating and association and nine were victims of killing.

ARREST

Purna Khadka, 35, of Tikapur Municipality-1, Jagat Bishwakarma, 40, Area Secretary of Tikapur Municipality-2 and Dambar Bista, 47, of Janaki Rural Municipality-8 were arrested by the police from Katase Bazaar on January 22, 2021. The health checkup of the victims was conducted at Tikapur Hospital on January 23. They were arrested while holding a torch procession on January 22 demanding a successful strike (*Nepal Bandh*) on January 23. Police registered a case against him at the District Administration Office, Kailali on January 24. The District Administration Office, released them on bail of NPR 10,000 each. The case was still pending.

BEATING/INJURED

By State

Krishna Pyakurel, 30, and Deepak Sanjyal, 18, of Lamkichuha Municipality-1 were injured in police firing on March 23, 2021. They were protesting for justice for Kamala Devkota, 22, of Lamkichuha Municipality-1 who had died in a bus accident. While the police air-fired to control the mob Krishna Pyakurel was shot in the abdomen and Deepak Sanjyal on the

leg. They were taken to Kohalpur Medical College for treatment. However, later, Pyakurel was airlifted to Kathmandu after his condition got critical.

By Others

Madan Shahi, news Chief and Basanta Jaisi, Managing Director of Radio Red Star FM of Lamkichuha Municipality-1, Tikapur Road were beaten by nine people including Tekraj Kathayat, 37, of the same place on April 18, 2021. The accused had entered the media house and beaten them for uploading status in their Facebook profile which was against the group's political preference.

A complaint was filed against the accused Tekraj Kathayat and others at the Area Police Office, Lamki on April 19 alleging that they were beaten and vandalized. Managing Director of FM Basanta Jaisi, who sustained head and neck injuries due to the beating, is undergoing treatment at Kohalpur Medical College. The accused were not arrested till the end of 2021.

RIGHT TO ASSEMBLY, EXPRESSION AND ASSOCIATION

Deepak Bahadur Singh, 30, of Kalika Tol, Dhangadhi Sub-metropolitan-2, and the Central Menber of was National Youth Association was injured when police intervened and charged batons at a torch procession organized by the National Youth Association in Dhangadhi on February 3, 2021. The protest was against the dissolution of the House of Representatives. Singh sustained injuries in his hand and was treated at CP Hospital, Dhangadhi Sub-Metropolitan-3, Chatakpur on February 3. He returned home the same day after treatment.

JAIL AND DETENTION

The District Jail had the capacity of holding 150 inmates but there were 526 inmates including 36 female. There were three dependents in the jail.

Type of Events		By State		By Others		
		Male	Total	Female	Male	Total
Arrest		3	3			
Beating					4	4
Injured		2	2			
Killing				1	8	9
Right to Assembly		8	8			
Threats		2	2		3	3
Child Rights	Child Trafficking			5		5
	Rape			18		18
	Sexual Abuse			7		7
	Total			**30**		**30**
Women Rights	Domestic Violence			125		125
	Witchcraft Allegation			1		1
	Polygamy			18		18
	Rape			22		22
	Attempt to Rape			8		8
	Sexual Abuse			1		1
	Women Trafficking			5		5
	Total			**180**		**180**
Grand Total		**15**	**15**	**211**	**15**	**226**

The inmates had access to drinking water, toilets, means of communication and leisure activities, and a library. One assistant health worker was posted in the jail for the regular health checkup of the inmates. There was one female inmate above the age of 60 and 20 chronically ill patients. There were provisions for skill-based income-generation activities.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with four judges had adjudicated 366 criminal cases out of 901 and 266 civil cases among 664 that were registered in 2021. There were 177 cases (133 criminal and 44 civil) that had not been decided for over one year. The court had hired 14 employees on contract and there were four vacant positions.

CHILD RIGHTS

Educational Status

The district has 907 schools and 355 organizational schools. There were positions for 1,416 teachers in the district. There were 13 disability-friendly schools. Two hundred and ten children from conflict affected families and 23 from migrant workers families received the scholarships.

INSEC documented eighteen victims of rape, seven of sexual abuse, and five of trafficking. One accused of rape was sentenced to jail and 11 were sent to judicial custody, one minor accused was sent to the child rehabilitation centre, one was handed over to the parents and one was released on bail. Similarly, one accused of sexual abuse was sent to judicial custody, one was initially released on bail but after being unable to deposit the amount of bail was sent to judicial custody, one was sentenced to jail and three were released on bail. Two accused of trafficking were released on bail of NPR 100,000 each, two were sent to judicial custody and one was not arrested till the end of 2021.

Rape, Sexual Abuse

A complaint was filed against Ravi Kumar Kori, 19 of Uttar Pradesh, India at the District Police Office, Kailali on January 5 alleging that he had raped a four-year-old girl. Police arrested the accused from Dhangadhi Sub-metropolitan-9, Bangarakatan on January 6. The health checkup of the victim was conducted at Seti Provincial Hospital, Dhangadhi on January 6. Police registered a case in the district court on January 29. The accused was remanded to judicial custody by the district court on February 18. The accused was found guilty on August 17 and was sentenced to jail for six months. He was also charged NPR 5,000 as compensation to the victim.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 375 women filed complaints of domestic violence at the Women, Children and Senior Citizens' Service Centre among which 267 were reconciled, 31 were transferred to concerned authorities, the victims 42 complaints were out of contact and 35 were under legal review.

INSEC documented 125 victims of domestic violence, 22 of rape, eight attempt to rape, one of sexual abuse, one of witchcraft allegations, five of trafficking and 18 of polygamy. One accused of Attempt to Rape was sent to judicial custody, three were initially released on bail but after being unable to deposit the amount of bail, were sent to judicial custody and one was released on general date. Three accused of trafficking were sent to judicial custody and one was released on general date with bail amount of NPR 100,000.

Rape, Attempt to Rape and Sexual Abuse

A complaint was filed against Dev Bahadur Mahata, 36, of Godavari Municipality-10 on March 3, 2021 alleging that he had raped a 31-year-old woman on the same day. The health checkup of the victim was conducted at Seti Provincial Hospital on March 3. The accused was arrested on March 3. Police had registered a case against him on March 4. The accused was remanded to judicial custody on March 26. He was found guilty on December 29 and was sentenced to lifetime inprisionment.

ALLEGATION OF WITCHCRAFT

A complaint was filed against Devi Kami, 35, of Dhangadhi Sub-metropolitan -12 at the District Police Office, Kailali on October 15, 2021, accusing her of verbally abusing Nima Kami, 65, alleging her of witchcraft. After the victim's complaint, the accused was arrested from her house

on October 15. Police registered a case against the accused in the district court on October 16 on the charge of witchcraft. The accused was released on November 8 on a general date with a bail amount of NPR 10,000.

HEALTH SERVICES

The district has four government hospitals, one community hospital, 126 health posts, 44 birthing centres, 293 primary health centres and 19 municipal health centres. An 80-bedded Isolation Centre was constructed in the district. There were vacant positions for seven doctors, and six paramedics at Seti Provincial Hospital. Forty doctors and 24 auxiliary nurse-midwives were hired on contract.

There were 213,664 people were enrolled in the health insurance scheme in the district. These included senior citizens, patients of leprosy, tuberculosis, HIV and people with disability.

This year 21,906 people were diagnosed with COVID-19 and among them, 337 died.

Number of Incident with Status of Legal Proceeding in 2021

CHILD RIGHTS

Type of Events	Closed Case	Legal Proceeding	Total
Child Trafficking		4	4
Rape	1	17	18
Sexual Abuse	1	6	7
Total	**2**	**27**	**29**

WOMEN RIGHTS

Type of Events	Closed Case	Compromise	Investigation	Legal Proceeding	Total
Domestic Violence		119		6	125
Witchcraft Allegation				1	1
Polygamy			4	14	18
Rape	1		8	13	22
Attempt to Rape			1	7	8
Sexual Abuse				1	1
Women Trafficking				4	4
Total	**1**	**119**	**13**	**46**	**179**

Number of Incidents

Type of Events	Investigation	Legal Proceeding	Total
Killing	1	8	9

7.9 Kanchanpur

Total Population	5,17,645
Women	2,74,047
No. of Constituency (HoR)	3
No. of Constituency (PA)	6
Below Poverty Level	1,40,381
No. of Migrant Workers	38,398
Population of Disability	9,072
Literacy above 5 yrs (%)	70.7
Dependent Population	2,08,222

There were six victims (two female and four male) of Human Rights violation who were deprived of their right to assembly, expression, and association and 72 victims (50 female and 22 male) of abuses documented by INSEC in 2021. Among the documented victims of human rights abuses; there were 14 victims of Child Rights Violation, 37 victims of Women Rights Violation, ten were injured, four were victims of beating and seven were victims of killing.

JAIL AND DETENTION

The District Jail had the capacity to hold 95 inmates but it had 427 inmates, including 20 female. Among them, seven male and one female inmate were above the age of 60 years and four male and one female were above the age of 70 years. The jail had eight inmates with chronic illness and four with mental illness. An inmate with mental instability and one suffering from paralysis were sent to Kathmandu for treatment.

RIGHT TO PROMPT AND FAIR TRIAL

The District Court with two judges had adjudicated 132 criminal cases out of 628 and 109 civil cases among 457 that were registered in 2021. There were 203 cases (105 criminal and 98 civil) that had not been decided for over a year. There were vacant positions for nine employees and nine others were hired on contract.

High Court-Mahendranagar Bench

The High Court bench had four judges. This year 328 cases were referred to the High Court this year 285 criminal cases and 133 cases of the previous year were adjudicated.

CHILD RIGHTS

Educational Status

The District has 151 elementary schools and 109 secondary schools. There were positions for 1,191 teachers in the

district. There were 70,872 girls and 75,355 boys enrolled this year. Among them were 48 girls and 52 boys with disabilities. There were six disability-friendly schools. This year, 1,583 girls and 14,800 boys from Dalit families were enrolled in the schools. Eighteen children of conflict-affected families and 32 children of migrant workers had received scholarships.

INSEC documented eight victims of rape, three of sexual abuse, one of child trafficking and two of corporal punishment. Five accused of rape were sent to judicial custody and one of the accused was released on bail of NPR 50,000. All three accused of sexual abuse were released on bail of NPR 100,000, NPR 40,000, NPR 10,000 respectively. The accused of corporal punishment was released on bail of NPR 50,000.

ALL KINDS OF VIOLENCE AGAINST WOMEN

This year, 215 women filed complaint of domestic violence at the Women, Children and Senior Citizens' Service Centre among which 168 were reconciled, 17 were transferred to concerned authorities, 20 were out of contact and 10 remained to be decided.

INSEC documented 32 victims of domestic violence, four of rape and one of trafficking. Three accused of rape were sent to judicial custody, and one was not arrested till the end of the 2021. The accused of trafficking was sent to judicial custody.

Type of Events		By State			By Others		
		Female	Male	Total	Female	Male	Total
Beating						4	4
Injured						10	10
Killing						7	7
Right to Assembly		2	4	6			
Child Rights	Child Trafficking				1		1
	Corporal Punishment				1	1	2
	Rape				8		8
	Sexual Abuse				3		3
	Total				**13**	**1**	**14**
Women Rights	Domestic Violence				32		32
	Rape				4		4
	Women Trafficking				1		1
	Total				**37**		**37**
Grand Total		**2**	**4**	**6**	**50**	**22**	**72**

HEALTH SERVICES

There is a government hospital, five community hospitals, 18 elementary health centres, 23 health posts, 26 municipal health centers, and three primary health centers in the district. There were vacant positions for 28 specialist doctors and one staff nurse. Twenty-two doctors including four specialists were hired on contract. There were five 50-bedded hospitals COVID hospitals beds.

There were 37,119 people were enrolled in the health insurance scheme in the district among which 14,027 were senior citizens. This year 125 died due to COVID-19.

Number of Incident with Status of Legal Proceeding in 2021					
CHILD RIGHTS					
Type of Events	**Closed Case**	**Compromise**	**Investigation**	**Legal Proceeding**	**Total**
Child Trafficking	1				1
Corporal Punishment		1		1	2
Rape			1	7	8
Sexual Abuse				3	3
Total	**1**	**1**	**1**	**11**	**14**

WOMEN RIGHTS				
Type of Events	**Compromise**	**Investigation**	**Legal Proceeding**	**Total**
Domestic Violence	32			32
Rape		1	3	4
Women Trafficking			1	1
Total	**32**	**1**	**4**	**37**

Number of Incidents			
Type of Events	**Closed Case**	**Legal Proceeding**	**Total**
Killing	1	6	7

Annex 2

Statistics of Human Rights Violations in 2021

Annex 2.1 Incidents and Number of Victims

Type of Events	Human Rights Violation			Human Rights Abuses			Grand Total
	By State			By Others			
	Female	Male	Total	Female	Male	Total	
Abduction							
Abduction				**20**	**13**	**33**	**33**
Arrest							
Arrest		**35**	**35**				**35**
Beating							
Beating	**4**	**28**	**32**	**40**	**194**	**234**	**266**
Child Rights							
Child Labor				3	1	4	4
Child Marriage				39	2	41	41
Child Trafficking				27	2	29	29
Corporal Punishment				5	10	15	15
Infanticide				3	4	7	7
Rape				1,043		1043	1043
Sexual Abuse				359	24	383	383
Total				**1479**	**43**	**1522**	**1522**
Death in Detention							
Death in Detention		**5**	**5**				**5**
Death in Jail							
Death in Jail	**1**	**73**	**74**				**74**
Disappearance							
Disappearance					**1**	**1**	**1**
Inhumane Behaviour							
Witchcraft Allegation					1	1	1
Others	5	2	7	1	7	8	15
Rubbing Soot on the Face				1	7	8	8
Total	**5**	**2**	**7**	**2**	**15**	**17**	**24**
Injured							
Acid Attack				1	1	2	2
Injured By Bomb Blast	1	1	2	3	6	9	11
Injured By Firing		4	4	1	4	5	9
Injured by setting fire				1		1	1
Injured by using sharp weapons				5	6	11	11
Injured in Clash	1	23	24	4	74	78	102
Total	**2**	**28**	**30**	**15**	**91**	**106**	**136**

Annex 2.1 Incidents and Number of Victims

Type of Events	Human Rights Violation			Human Rights Abuses			Grand Total
	By State			By Others			
	Female	Male	Total	Female	Male	Total	
Killing							
Beaten to Death				88	78	166	166
By Hanging				2	1	3	3
By Giving Poison				4	2	6	6
By Torture		1	1				1
By Using Sharp Weapons				37	52	89	89
Hacked to Death				7	9	16	16
Killed After Rape				19		19	19
Killed by Firing		5	5	2	4	6	11
Nature of Killing Unexposed				2	1	3	3
Pushing Down from the Landscape/Hill				4	4	8	8
Setting Fire				3	1	4	4
Squeezed to Death				5		5	5
Striking Lathi				3	8	11	11
Total		**6**	**6**	**176**	**160**	**336**	**342**
Racial Discrimination							
Intercaste Marriage				1	1	2	2
Untouchability				11	15	26	26
Total				**12**	**16**	**28**	**28**
Right to Assembly							
Lathi Charge	5	39	44				44
Right to Assembly	34	285	319				319
Total	**39**	**324**	**363**				**363**
Threats							
Threat		**6**	**6**	**3**	**27**	**30**	**36**
Torture							
Torture		**3**	**3**				**3**
Women Rights							
Attempt to Trafficking				16		16	16
Domestic Violence				2,095		2095	2095
Witchcraft Allegation				31		31	31
Polygamy				345		345	345
Lack of Post Partum Services	1		1				1
Rape				649		649	649
Attempt to Rape				177		177	177
Sexual Abuse				61		61	61
Women Trafficking				42		42	42
Total	**1**		**1**	**3416**		**3416**	**3417**
Grand Total	**52**	**510**	**562**	**5163**	**560**	**5723**	**6285**

Annex 2.2.1 Incidents and Number of Victims — Province 1

Type of Events	By State			By Others		
	Female	Male	Total	Female	Male	Total
Abduction				3	1	4
Arrest		3	3			
Beating	2	9	11	8	26	34
Child Rights				295	10	305
Death in Detention		2	2			
Death in Jail		7	7			
Injured		6	6	2	4	6
Killing				40	27	67
Caste Based Discrimination				1		1
Threats				2	2	4
Torture		1	1			
Women Rights				468		468
Total	**2**	**28**	**30**	**819**	**70**	**889**

Annex 2.2.2 Incidents and Number of Victims — Madhesh Province

Type of Events	By State			By Others		
	Female	Male	Total	Female	Male	Total
Abduction				14	10	24
Arrest		3	3			
Beating		11	11	10	77	87
Child Rights				216	7	223
Death in Detention		1	1			
Death in Jail		5	5			
Inhumane Behaviour	4	1	5		6	6
Injured		2	2	5	15	20
Killing				32	41	73
Caste Based Discrimination				3	3	6
Right to Assembly	3	55	58			
Threats					5	5
Torture		1	1			
Women Rights				228		228
Total	**7**	**79**	**86**	**508**	**164**	**672**

Annex 2.2.3 Incidents and Number of Victims — Bagmati Province

Type of Events	By State			By Others		
	Female	Male	Total	Female	Male	Total
Abduction				1	1	2
Arrest		10	10			
Beating					8	8
Child Rights				417	7	424
Death in Detention		1	1			
Death in Jail		57	57			
Inhumane Behaviour				1	1	2
Killing				32	30	62
Caste Based Discrimination				2	1	3
Right to Assembly	34	181	215			
Women Rights				389		389
Total	**34**	**249**	**283**	**842**	**48**	**890**

Annex 2.2.4 Incidents and Number of Victims — Gandaki Province

Type of Events	By State			By Others		
	Female	Male	Total	Female	Male	Total
Arrest		6	6			
Beatings		1	1		7	7
Child Right				105	5	110
Death in Jail	1	1	2			
Inhumane Behaviour		1	1		2	2
Injured		6	6	2		2
Killing				15	11	26
Caste Based Discrimination				2	2	4
Right to Assembly		33	33			
Threats					3	3
Women Rights				310		310
Total	**1**	**48**	**49**	**434**	**30**	**464**

Annex 2.2.5 Incidents and Number of Victims — Lumbini Province

Type of Events	By State			By Others		
	Female	Male	Total	Female	Male	Total
Abduction				1	1	2
Arrest		3	3			
Beating		1	1	13	23	36
Child Rights				284	11	295
Death in Detention		1	1			
Death in Jail		1	1			
Inhumane Behaviour	1		1		2	2
Injured	1	11	12	4	60	64
Killing		5	5	25	15	40
Caste Based Discrimination				2		2
Right to Assembly		32	32			
Threats		2	2		2	2
Torture		1	1			
Women Rights				1284		1284
Total	**2**	**57**	**59**	**1613**	**114**	**1727**

Annex 2.2.6 Incidents and Number of Victims — Karnali Province

Type of Events	By State			By Others		
	Female	Male	Total	Female	Male	Total
Abduction				1		1
Arrest		7	7			
Beating	2	6	8	7	38	45
Child Rights				83	1	84
Death in Jail		2	2			
Inhumane Behaviour				1	3	4
Injured	1	1	2	1	1	2
Killing		1	1	20	14	34
Caste Based Discrimination				2	8	10
Right to Assembly		11	11			
Threats		2	2	1	11	12
Women Rights	1		1	204		204
Total	**4**	**30**	**34**	**320**	**76**	**396**

Annex 2.2.7 Incidents and Number of Victims Sudurpashchim Province

Type of Events	By State			By Others		
	Female	Male	Total	Female	Male	Total
Arrest		3	3			
Beating				2	15	17
Child Rights				79	2	81
Disappearance					1	1
Inhumane Behaviour					1	1
Injured		2	2	1	11	12
Killing				12	22	34
Caste Based Discrimination					2	2
Right to Assembly	2	12	14			
Threats		2	2		4	4
Women Rights				533		533
Total	**2**	**19**	**21**	**627**	**58**	**685**

Annex 2.3 Number of Victims by Occupation

Occupation	By State			By Others		
	Female	Male	Total	Female	Male	Total
Agriculture	2	36	38	1,758	153	1,911
Business		10	10	85	20	105
Civil/Private Service		3	3	19	18	37
Engineer		1	1		3	3
Health Worker		2	2	44	25	69
Housewife	4		4	1,450		1,450
Human Rights Activist	6	22	28			
Indian Civilian		1	1	1		1
Journalist		9	9	2	21	23
Labour	1	7	8	127	25	152
Law Professional	21	48	69	1		1
Security Force				5	124	129
Political Worker	12	230	242	2	41	43
Prisoner	1	78	79		2	2
Social Worker		4	4	3	3	6
Student	3	48	51	1,592	84	1,676
Teacher	2	5	7	8	19	27
Underage				51	20	71
N/A		6	6	15	2	17
Total	**52**	**510**	**562**	**5163**	**560**	**5723**

Annex 2.4 Number of Victims by Type and Month

Event Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Abduction	2	3	2	2	2	2	1	2	4	6	2	5	33
Arrest	20	8	2	2			1		1	1			35
Beating	13	15	20	16	24	34	23	30	14	22	31	24	266
Child Rights	123	145	146	130	104	119	165	132	126	99	123	110	1522
Death in Detention		1					2	1	1				5
Death in Jail	2	9	8	8	9	8	6	11	6	2	2	3	74
Disappearance							1						1
Inhumane Behaviour	6	3		2	1	1	1	1		2	3	4	24
Injured	7	6	16	3	2	1	3	11		76	7	4	136
Killing	24	31	30	33	23	29	34	21	28	36	23	30	342
Racial Discrimination	1	3	4	1	4	6	2	3	1		2	1	28
Right to Assembly	34	124	17	5	5	18		7		3	130	20	363
Threats	1	1		5	2	14	4	3	2		1	3	36
Torture			1			1				1			3
Women Rights	240	252	360	328	138	225	355	339	316	294	310	260	3417
Total	**473**	**601**	**606**	**535**	**314**	**458**	**598**	**561**	**499**	**542**	**634**	**464**	**6285**

Annex 2.5 Number of Victims by Caste and Ethnic Group

Caste	By State			By Others		
	Female	Male	Total	Female	Male	Total
ADHIBASI		8	8	40	3	43
BAISYA		2	2	8	1	9
BRAHMAN	18	116	134	530	98	628
CHHETRI	11	120	131	1064	148	1212
DALIT	4	72	76	1231	83	1314
JANAJATI	12	120	132	1606	129	1735
KAYASTHA	1		1	23	3	26
KOIRI	1	7	8	19	6	25
MANDAL		6	6	45	9	54
MUSLIM	4	12	16	289	12	301
SANYASI		3	3	27	7	34
TELLI		16	16	92	20	112
YADAV	1	28	29	156	37	193
N/A				33	4	37
Total	**52**	**510**	**562**	**5163**	**560**	**5723**

Annex 2.6 Destruction of Property

Type of Events	Total
Communication Sector	3
Government Offices	4
Government Vehicle	2
Health post	6
Municipality	5
Private Home	2
Private Property	2
Private Vehicle	19
School	7
Temple	1
Total	**51**

Annex 2.7 No. of Inmates in Jail at the End of 2021

Province	S.N.	District	Capacity	Total	Male	Female	Dependent Children
PROVINCE 1	1	Taplejung	25	149	149		
	2	Sankhusabha	25	161	150	11	2
	3	Solukhumba	25	92	87	5	1
	4	Okhaldhunga	40	99	91	8	
	5	Khotang	99	135	132	3	1
	6	Bhojpur	40	118	109	9	
	7	Dhankuta	40	80	76	4	
	8	Terhathum	35	75	71	4	
	9	Panchthar	25	141	127	14	1
	10	Illam	120	281	256	25	
	11	Jhapa	700	1282	1210	72	3
	12	Morang	300	957	878	79	3
	13	Sunsari	1600	1809	1809		
	14	Udayapur	55	202	192	10	
MADHESH PROVINCE	1	Saptari	125	370	359	11	1
	2	Siraha	150	646	612	34	2
	3	Mahotari	135	561	509	52	5
	4	Sarlahi	150	357	345	12	1
	5	Rautahat	1000	1304	1234	70	2
	6	Parsa	1000	1265	1190	75	5
BAGAMATI PROVINCE	1	Dolakha	51	144	144		
	2	Sindhupalchok	80	146	146		
	3	Rasuwa	25	100	99	1	
	4	Dhading	200	333	302	31	
	5	Nuwakot	80	171	157	14	
	6	Kathmandu (Jagannath Dewal)	1500	3334	2965	369	13
	7	Kathmandu (Dillibazar)	300	550	550		
	8	Lalitpur	600	1353	1353		
	9	Kavre	75	236	236		
	10	Ramechhap	220	317	308	9	
	11	Sindhuli	208	565	545	20	
	12	Makwanpur	1200	999	999		
	13	Chitwan	280	714	664	50	2

Annex 2.7 No. of Inmates in Jail at the End of 2021

Province	S.N.	District	Capacity	Total	Male	Female	Dependent Children
GANDAKI PROVINCE	1	Gorkha	55	112	102	10	
	2	Manang	35	2	2		
	3	Mustang	25	5	5		
	4	Myagdi	32	104	98	6	
	5	Kaski	420	898	832	66	3
	7	Lamjung	35	112	104	8	
	8	Tanahu	125	245	245		
	10	Syanja	50	125	125		
	11	Parvat	25	98	98		
	12	Baglung	90	147	136	11	
LUMBINI PROVINCE	2	Rolpa	50	116	108	8	
	3	Pyuthan	25	80	70	10	
	4	Gulmi	25	70	62	8	
	5	Arghakhanchi	45	57	53	4	
	6	Palpa	325	293	250	43	2
	7	Nawalparasi West	175	525	461	64	3
	8	Rupandehi	150	467	467		
	9	Kapilvastu	352	469	469		
	10	Dang (Ghorahi)	70	299	299		
	11	Dang (Tulsipur)	320	524	495	29	2
	12	Banke	350	810	810		
	13	Bardiya	125	371	337	34	2
KARNALI PROVINCE	1	Dolpa	150	31	31		
	2	Mugu	16	10	9	1	
	4	Jumla	200	114	113	1	
	5	Kalikot	25	54	49	5	
	6	Dailekh	100	180	146	34	
	7	Jajarkot	15	63	63		
	8	Rukum West	25	141	133	8	2
	9	Salyan	45	129	105	24	3
	10	Surkhet	100	373	328	45	5
SUDURPASHCHIM ROVINCE	1	Bajura	25	50	50		
	2	Bajhang	25	75	75		
	3	Darchula	40	68	66	2	1
	4	Baitadi	25	84	84		
	5	Dadeldhura	140	106	94	12	3
	6	Doti	25	52	52		
	7	Achham	75	86	80	6	1
	8	Kailali	150	526	490	36	3
	9	Kanchanpur	95	427	407	20	
Total			**13688**	**26279**	**24867**	**1412**	**67**

Annex 2.8 No. of Children in Rehabilitation Centre in 2021

Provinces	S.No	Distirct	Boys	Girls
1	1	Morang	202	
Madhesh	2	Parsa	98	
Bagmati	3	Makwanpur	55	
Bagmati	4	Bhakatpur	214	32
Gandaki	5	Kaski	90	
Lumbini	6	Rupandehi	108	
Lumbini	7	Banke	175	
Sudur Paschim	8	Doti	27	
Total			**969**	**32**

Annex 3

Views of Political Parties on Human Rights Situation in 2021

CPN UML

1. CPN UML is committed to respect, protect and promote political, social, economic and cultural rights of people granted by the Constitution of Nepal. The party has demonstrated its efforts in creating multi lingual, multi cultural and diverse society eradicating prevailing discrimination and violence.
2. The party is committed in respecting the rights of people to be ruled by elected representatives. To elect and to be elected is the basic political rights of people. Periodic election is adamant for the institutionalization of democracy. Local election act 2017 has mandated the fulfilling of vacant positions in local levels by conducting election two months prior to the end of their tenure and handover the position on May 19. Our party has protested on the intention of creating chaos in local levels keeping the positions of representatives vacant.
3. There was hindrance in Supreme Court activities due to the feud between Bar and Bench. Our party has taken this issue as judiciary seeking its place in ruling mechanisms. This has hindered people from exercising their right to Justice and getting timely decisions on their cases.
4. Interfering the rights of elected Parliament, the Court of Nepal took a political decision by issuing a Mandamus order for the appointment of the Prime Minister. Consequently, decisions and ordinance were passed only to divide the parties against the public will. No order was passed by the Speaker of the House against the MP who had been punished by the party. Due to lack of proper coordination, wrong practice of interference has spiked between the three organs of the state; Legislative, Executive and Judiciary.
5. The involvement of speaker of the House of Representatives in dividing opposition is unconstitutional and it has hindered sessions of the parliament. Political rights of the people have largely been compromised.
6. Citizens are experiencing price hike on every usage at present. The government's policies are directed towards increasing the expenditure. The fare of public vehicles has gone up, investment in public infrastructure has increased and these price hikes have affected in employments. Government is unable to curb the expenditures. Rights of consumers are stranded.
7. Development and Human rights are interrelated. Development of infrastructure, construction and proper utilization of resources guarantees the feelings of exercise of human rights. Realizing this, government led by our party commenced the campaign of 'happy Nepali prosperous Nepal' and started to work on increasing the

economic growth to double digits. The journey towards upgrading Nepal to developing nation through widespread development of infrastructures was started on our tenure. Our government had assured resources for connectivity roads, strategic plannings, proper health centers, schools and so on for overall development of the country. Its main aim was to combat the discrimination prevalent in the country through policies. But, the present government is restricting budgets in activities that were commenced in our tenure. This has hindered the rights of people.

8. Disparity in distribution of vaccine has compromised people's access on the same. Health issues of the citizens have been undermined. Amid third wave of pandemic, proper efforts to save the lives of people are nominal. The government is unable to disseminate vaccines in all parts of the country. On one hand, people are deprived from vaccines and on the other hand news of misuse of the vaccines have been exposed.
9. The present government is seen indifferent in solving the cases of transitional justice even though it is the task of government to bring incidents of human rights violations under the ambit of law. No action was action against the Minister who publicly proclaimed his involvement in the Gaur incident and threatened of repeating the same. It has promoted impunity. Citizens are compelled to beg for justice.
10. Timely rescue following Natural calamities is evidently lacking in the Country. Further, Compensation allocated for the victims have not reached to all parts of the country. This has raised the question in the accountability of the government.
11. The voices of common people make the democracy strong and civil societies play crucial roles in bringing the voices to concerned bodies together. But, the present government has infringed the freedom of Speech of the CItizens. This action is unacceptable.
12. The present government has dissolved commission formed to solve the problems of landless and Dalits. This action has pushed the vulnerable groups away from their chance of acquiring access to land.
13. The government led by our party had gained success in visions of making the country 'street children free' and providing guardianship to the orphans. But, the present government has not shown any interest in utilizing the vision sustainably. The cases of violation of rights of women, children and senior citizens are still prevalent in the country. It shows the present government is not concerned towards the protection of people's rights.
14. Our party is committed for the protection of human rights and social justice. We had duly allocated budgets and programs for the promotion and protection of the Human rights during our tenure. Even as an opposition, we are constantly working to ensure basic human rights to all the citizens.

Dr. Bhishma Adhikari
Secretary, Central Office

Nepali Congress

Leaving aside 10-year of Maoist insurgency after the reestablishment of democratic regime in last 21 years, country witnessed some serious violation of Human rights even after the formation of communist led government.

Direct interference were made on independence of judiciary and other constitutional bodies breaking the interconnection between three organs of the state during the tenure of Communist government. Journalism, the fourth organ of state was terrorized too.

Against the democratic systems, Communist government enacted the law prescribing five years of imprisonment and 15 lakh fine to those who throw general banter against someone over social media. This terrorized Nepali youths. Violating the human rights, Dilli Bahadur Chand was arrested on December 31, 2020, from Nepalgunj and brought to Kathmandu.

Nepali Congress expresses grave concern over the terror created in West Rukum. Group including Man Bahadur Chadara, chairperson of ward number 8 and Kesharman B.K, chairperson of ward number 3, close to NCP had attacked the security force with a knife and severely injured Tej Bikram Aarshi and Dipak K.C while Tarak Bahadur Shahi, ward chairperson of Aathbiskoti Municipality-9 along with five others were discussing in area police office.

The then Prime Minister KP Oli violated the notion of legal state and human rights by referring discussion on the complaint filed in the Supreme Court regarding reinstatement of the Parliament a 'drama'.

Nepali Congress expresses grave concern over the attack on local leader of Tarun Dal, Amrit Bahadur Singh from Chhabisapathibhera Rural Municipality-3, Bajhang and urge the government to combat the criminal activities like these.

It is out claim that NCP led government ignored the least value of Human rights and violated many rights of people affiliated to other parties, by dissolving the Parliament twice

Krishna Prasad Poudel
Chief Secretary

Nepal Communist Party (Unified Socialist)

INSEC has been publishing Nepal Human Rights Year Book since 1992 covering all the aspects of human rights.

We are delighted to know INSEC is publishing its annual publication this year as well.

On this regard, our party is committed towards different aspects of fundamental rights, inherent rights, Natural rights and human ethics. We believe that equality, justice and freedom can solve the inequity and conflict.

The implementation of commitments made at different International forums and the rights enshrined under the Constitution is a challenge of present days.. For the realization of Human rights, it is adamant for the government and non-governmental bodies to realize their responsibilities and work collaboratively with the concerned stakeholders.

At last, we wish success to INSEC for the publication of Nepal Human Rights Year Book, 2022 which covers different aspects and aids to the campaigns of Human rights.

Madhav Kumar Nepal
Chairperson and former
Prime Minister

Democratic Socialist Party, Nepal

The publication of the Nepal Human Rights Year Book by INSEC is commendable. We are delighted to know that the organization is publishing the yearbook this year as well..

Human rights is the pillar of democracy, therefore, there should not be any kind of discrimination based on caste, ethnicity, language, religion, culture and gender. Every individual has the right to live peacefully. Realizing the importance of human rights, the United Nations adopted the Universal Declaration of Human Rights in 1948. Human rights are the inherent right of people. Deprivation of rights of the people of different caste, ethnicity, language, geography, religion, culture, gender, disability and age is

termed as human rights violation. There must be equal participation of people of all in every part of the state. Nobody can snatch this right from the people. The government should respect the equal participation of the people in the state's mechanism and development activity, despite the Universal Declaration of Human Rights values. Despite the recognition of the value of Human Rights, Madhesi, women, indigenous groups, Tharu, Khas Shilpi (Dalit), Khas Arya, minorities, Muslims, backward classes, and the neglected and oppressed communities have not experienced it. According to Article 2 of the Universal Declaration of Human Rights, the right against discrimination seems to have been completely violated in the state.

There is no change in the treatment ofMadhesi people as second class citizens. Resham Chaudhary was imprisoned with fake accusations even though he was the people's representative from Kailali. Many members of our party were fake accused on them being Madhesi during Madhes revolution. Nepali people are deprived of right to information even though it is an important human right. Madhesi people are bound to face fake cases based on their political ideologies. Victims of various revolutions of identity are overlooked by the government and they are living miserable life. Report of Lal Commission formed to investigate Tharuhat movement is yet not brought in public. The violation of human rights is seen more in bureaucracy, army, police, diplomatic bodies and so on.

People have not realized the rights to education, health, employment, right to peaceful life, social, economic and political rights. Youths are bound to move abroad for employment where they have faced various difficulties. Youths inside the country are entrenched in hooligan activities. Overall, 2021 was not satisfactory with regard to human rights. Women participation in three levels of government is praiseworthy work.

At last, we wish INSEC for the success of Nepal Human Rights Year Book, 2022.

Mahantha Thakur
Chairperson

Annex 4

Views of Institutions on Human Rights Situation in 2021

National Human Rights Commission

Informal Sector Service Centre (INSEC) has been publishing Nepal Human Rights Year Book every year. This publication has been incorporating diverse topics of human rights and we would like to congratulate INSEC for its success. The Commission believes that the contents in this book will be useful for the Government, national and international agencies, scholars and researchers working in the sector of human rights in one or the other ways.

The state is the guardian of human rights. Nepal, a member of the United Nations is the state party to various international conventions and a member of the Human Rights Council. Therefore, the state is responsible for respecting, promoting and protecting the human rights of its citizens as mentioned in the international treaties and national laws. NHRC has its role to collaborate with and remind the state to ensure human rights friendly laws and policies. The Commission has been established as a constitutional body to protect, promote, and ensure human rights.

The Commission undertakes complaints, evaluates the status of human rights, investigates those complaints and makes necessary recommendations for the effective implementation of the provisions to safeguard the prevailing laws of human rights. It propagates human rights education among the various sections of society through seminars, symposium, conferences and also builds consciousness and awareness about the guarantees bestowed by law for the protection of human rights. Human rights friendly laws are being promulgated, reviewed and amended. Various forms of concerns regarding human rights are being expressed through reports, books and journals as well as press notes and statements. Likewise, the opinions of the Commission and information on human rights are disseminated through different media to the public.

In this fiscal year, 186 complaints of human rights violations were registered in the Commission. The investigation on 261 complaints, including the new ones and those received previously, have been completed. Monitoring has been completed in 212 different issues regarding human rights. Among the investigated issues, 188 decisions were made. The Commission has been prioritizing human rights to fulfil its motto that is, "Human rights for Every Household, Bases of Peace and Development." This year, 138 programs based on human rights promotion, 24 publications, 48 press statements and 20 press notes have been released.

Although the aforementioned targets have been met, the Commission is still not devoid of challenges. The Commission could not escape the pandemic of

COVID-19. Its effects were directly visible in the works and activities of the Commission. The Commission had been reminding the government and the stakeholders to address these challenges. Amid the achievements and challenges, the Commission has been moving forward with the learning and experiences of the contemporary situation by focusing on the Constitution, Acts and Strategic Plans.

The situation of the implementation of civil and political rights, economic, social and cultural rights and overall human rights is not satisfactory. It has been realized that an accessible environment has not been created for the implementation of the rights guaranteed by the Constitution and as a result of it, there is the prevalence of caste-based discrimination and a lack of accessible health services to all. The life of the general public is uncomfortable due to the increase in abuse of migrant workers and domestic violence. The state has not been able to concentrate on the issues related to the marginalized, indigenous, women, children, Dalits, minorities, senior citizens and people with disabilities. The commitment of the government to conclude Transitional Justice has not taken a solid form. The victims are yet to receive justice from the state. The implementation of fundamental rights lacks proper guidelines and policies. Laws have not been formulated incorporating all three tiers of the government. These are some of the challenges that should be addressed.

Lastly, we hope that the regular publication of the Nepal Human Rights Year Book by INSEC will inform all the organizations working for the protection and promotion of human rights about the status of human rights in Nepal, problems faced while entertaining the rights, the effectiveness of the state mechanisms and their roles in addressing the concerns of accountability towards human rights in the country.

Murari Prasad Kharel
Acting Secretary, National Human Rights Commission

Office of the Prime Minister and the Council of Ministers

Informal Sector Service Centre (INSEC) has long been involved in cautioning, enhancing and safeguarding the human rights. The Ministry expresses felicitousness towards INSEC for its continuous effort in publishing Nepal Human Rights Year Book since 1992. As the publication gives an overview of the situation of Human rights in Nepal, the Ministry believes that the document will be prominent for everyone who are involved in promotion and protection of human rights in the Country.

Economic equality, social justice, education, employment health, are all the subjects of human rights. For the better realization and implementation of the same, these matters are ensured as fundamental rights under the Constitution of Nepal.. Concerns of protection and promotion of the Human rights are duly considered while formulating and implementing the policies and programs of the country. Further, Nepal, as a member State, has been fulfilling all its responsibilities towards human rights as mandated by the United Nations.

Nepal completed its third cycle of Universal Periodic Review (UPR) on January 2021. The country has further formulated a draft of working plans for the implementation of the recommendations (2021-2025). The draft will be finalized after the consultation with the concerned Ministries, departments and the civil societies. The help that INSEC provided in the preparation of report for the third cycle of UPR is anticipated in the discussion phase (with civil societies) as well. The Ministry also expects continuous assistance from INSEC in the implementation of Fifth National Working Plans on human rights at all levels of governments.

In conclusion, noting the protection of Human rights and Humanity as a shared responsibility of all, we extend

our gratitude towards INSEC for its contribution on the sector of Human rights. We wish, Nepal Human Rights Year Book, 2022, to be an important source for everyone who are directly and indirectly involved in the field of Human rights and wish the year books to encourage everyone to respect, protect and promote Human rights.

Shraddha Rijal
Under Secretary
Department of Human Rights
and International Treaties

Ministry of Foreign Affairs

The Ministry of Foreign Affairs expresses its happiness to know that Informal Sector Service Center (INSEC) has added one more chapter to its hallowed tradition of publishing Human Rights Year Book in the form of "Nepal Human Rights Year Book 2022". The Ministry wishes every success for the endeavor.

In 2021, Nepal championed the protection and promotion of human rights, democracy, and the rule of law, both at the national and international fronts. At the international forum, Nepal made valuable contribution to various interactive dialogues on the situation of Human rights covering wide issues ranging from violence against women to extreme poverty and promotion and protection of the right to freedom of opinion and expression to independence of the judiciary.

Nepal as a party to 24 international human-rights related conventions and commitments including seven out of nine core international human rights instruments alongside its regional and national commitment remains steadfastly committed to these international, regional and national human rights obligations. In all its national, regional and international participation, whether physically, virtually or in hybrid mode, Nepal unequivocally advocated for a free and fair democratic system for enjoyment of political, cultural and social rights. It has been duly fulfilling its reporting obligations to all International Treaty Bodies it is member of, responding to all questionnaires, sending timely reports and providing feedbacks and opinions when sought for and voluntarily as well. Moreover, Nepal has been submitting Periodic reports at the Council.

As an active member, Nepal's contribution to the Human Rights Council and CEDAW was noteworthy. At the domestic level, Nepal made efforts to protect the rights of all people including children, women, and marginalized people. Similarly, the National Human Rights Commission established as a constitutional body with a commensurate mandate, competence, and independence, continued to work as the custodian of human rights issues in Nepal. Nepal also made significant progress in achieving gender equality and empowerment of women. The law has made it mandatory to have women's participation in federal and provincial parliament with 33 percent and at local level with 40 percent. The 5th National Action Plan on Human Rights that includes diverse range of issues from basic fundamental rights guaranteed in Constitution of Nepal to Human Rights awareness, prison reform and implementation of recommendations made by National and International agencies, is currently under implementation.

Adhering to Alliance 8.7, Nepal has committed to ending all forms of child labor by 2025. Right to representation of those out of mainstream of development is guaranteed by law. There are plans and policies to protect the rights of persons with disability. As a champion country of GCM Objective No. 6, Nepal's role has been duly acknowledged by the International Community including its role as a Chair of Colombo Process from 2017-2019, as well as a member of Abu Dhabi dialogue.

Nepal is effortful to graduate from the Least Developed Country (LDC) category with preparatory period of five years, effective from 2026. Out of the three in-

dices which the CDP considers while deciding on the question of graduation- GNI per capita, Human Assets Index (HDI) and Economic and Environment Vulnerability Index (EVI), Nepal met the threshold for the latter two. We have taken the recommendation for graduation as an important milestone in Nepal's development trajectory and we hope that this graduation would give further momentum on the attainment of Sustainable Development Goals and other common international aspirations.

UN Security Council has reaffirmed the important role of women in the prevention and resolution of conflicts, peace negotiations, peace-building, peacekeeping, humanitarian response and urged all actors to increase the participation of women and incorporate gender perspectives in all United Nations peace and security efforts.Nepal has successfully implemented First National Action Plan (NAP-I) on UNSC 1325 resolution and is finalizing (NAP-II) as early as possible. In the 2021 UN Seoul Peacekeeping Ministerial, Nepal in alignment with UN's guidelines, pledged to adopt concentrated effort to achieve enhanced participation of female military under Uniformed Gender Parity Strategy.

Nepal made a meaningful participation in 76th Session of UNGA where Nepal reiterated that all human rights are universal, indivisible, inter-related, interdependent and mutually reinforcing. Nepal reiterated its stand at the international platforms including at the UN that Human rights are the bedrock of our Constitution based on the universally recognized core values such as equality, non-discrimination, justice and rule of law and we have duly internalized into our national laws, policies and practices.

During the National report presentation of the third cycle of Universal Periodic Review (UPR) of Nepal in January 2021, countries commended Nepal's commitment to the protection and promotion of human rights and extended best wishes for the successful implementation of the recommendations. During the process, 98 UN Member states had presented altogether 233 recommendations out of which Nepal supported 196 recommendations, and noted the remaining 37 recommendations. Concerning the noted recommendations, Nepal believes that they require further assessment of the existing implementation capacity, including the development of requisite legal, policy, and institutional infrastructure, and commensurate financial resources. Nepal is also in the midst of preparing Action plan for implementing UPR recommendations.

Nepal also welcomed and extended all support to the visit of the United Nations Special Rapporteur on extreme poverty and human rights from 22 November to 3 December 2021. The visit was aimed at assessing the efforts to combat poverty and to protect the human rights of people in poverty in Nepal. During the visit, the Special Rapporteur held meetings with heads of constitutional bodies, government agencies at the federal, provincial, and local levels and met with Nepali families engaged in agriculture and domestic work.

The COVID pandemic added a new dimension to the spectrum of human rights. Nepal strongly advocated for vaccine equity to ensure unhindered access of all people to the COVID vaccines irrespective of their nationality and economic status.

Nepal continued its engagements at the regional and multilateral levels to combat the scourge of pandemics while providing its citizens vaccines and necessary medical support on the domestic front. The Ministry of Foreign Affairs also continued uninterrupted consular services to the migrant workers while carrying out rescue and repatriation when necessary.

The year 2021 was still shaped by the global pandemic, however, Nepal is committed to protect and promote human rights within and beyond its boundary and looks forward to engaging with the international community constructively.

Ministry of Home Affairs

Duly considering the prevailing laws and Constitution of Nepal along with its International commitments and acknowledging the scope of Nepal Government (Work Division) regulations, 2017, the Ministry is actively indulged in respecting, protecting and promoting the Human rights. Ministry has collaboratively been working with the National Human rights institutions in fulfillment of its commitments.

Few key tasks executed by the Ministry within this period has been elucidated below:

1. Executed the recommendation made by the National Human Rights Commission to punish the culprit and provide compensation to the victim.
2. Been investigating lodged complaints of human rights exploitation.
3. The work of preparing different reports on human rights has been executed and the work of providing inputs is carried.
4. Conducted the provincial level consultation on the draft periodic report of International Covenant on civil and political rights (ICCPR).
5. The work on periodic reports of International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) has been proceeded.

Hoping that the Nepal Human Rights Year Book, published by INSEC annually will aid in promotion and protection of the human rights, we express our will of collaborating with the concerned stakeholders for the realization of human rights in the days to come.

Nevertheless, amid pandemic, resource constraints and natural calamities, it is evident that the Ministry has been struggling to execute the works related to Human rights effectively. Lastly, we wish the Year Book, 2022 to aid in the protection, promotion and respect of human rights in the country.

Hari Chandra Buda,
Section Officer

National Women Commission

INSEC play a crucial role and secure a special position in the sector of Human rights. 'Nepal Human Rights Year Book' published by the organization every year, covering all the aspects of Human rights is indeed commendable. Human Rights Year Book covers the cases of Human rights violation and abuses from across the country. Publication has assisted a lot in the protection and promotion of Human rights.

The Constitution of Nepal has accepted National Women Commission as a constitutional body and has established it as an organ for strengthening, promoting and protecting women's rights. Assurance of effective and proportional participation of women at decision making levels, fall under the scope of National Women Commission.

Despite the enactment of laws and policies for the upliftment and empowerment of women and commitments to end prevailing gender based discrimination following series of political changes, implementation status of the same is nominal. It has become imperative to focus on the implementation of constitutionally guaranteed Human rigts and Women rights along with the Economic, Social and Political empowerment of the women

The Commission has drafted suggestions in regards with the assurance of gender justice highlighting the need of implementing progressive initiatives from different Ministries, Departments and Bodies of Nepal government and recommended the concerned authorities to execute the same.

After the appointment of one chairperson and four members in fiscal year 2020/21, the Commission has finally

gained its competence following five years of its formation. With the appointment of the officials, efficiency of the Commission in protection and promotion of Fundamental rights has increased.

Total of 1,570 complaints of gender based violence were registered in the commission in fiscal year 2020/21. Among them, 1,352 (86%) were the cases of domestic violence and 218 (14%) were the cases of women violence among which, 960 cases has been settled. Fifty-four percent of the cases were filed by women between the age of 26-40 years. The cases of mental and economic torture, beatings and character assassination were recorded to be maximum.

The Commission has been conducting various programs at center and provincial level in order to spread awareness on the constitutionally guaranteed rights. The commission has also been providing recommendations to the Nepal government based on its monitoring on the serious incidents of violence. Further, it has published a report on the implementation status of the recommendations provided by CEDAW on the sixth periodic report of Nepal.

We are working on establishing relations in all three levels of government to fulfill the constitutional responsibility on women rights. There is also need to strengthen the Commission from economic, political and administrative point of view. For this, the Commission is willing to collaborate and involve in the dialogues with all the concerned bodies.

Even during the lockdown amid pandemic, the commission continued to function effectively. The commission has been collaborating with different government and non-governmental authorities to increased the effectiveness of its services and will be continuing to collaborate in the days to come.

This year shall be celebrates as a year of 'Implementation of legally and constitutionally guaranteed rights of women.' For the same, National Women Commission urge all the government and non-governmental bodies to work with the commission collaboratively.

Shailaja Regmi Bhattarai
Secretary

Tharu Commission

Due to COVID-19, like many other States, situation of Human rights in Nepal couldn't be satisfactory this year. Many people lost the job opportunities to pandemic. Majority of the youths from Tharu community are engaged in the construction work. They struggled to sustain their livelihoods after not receiving the wage on time. No vehicles were arranged for them to return home amid lockdown. After being deprived from working opportunities and not being able to pay the rent, people were compelled to return to Kailali, Kanchanpur (in the west) and Jhapa, Biratnagar (in the east) by foot. A verbal plea was made by the commission to the local administration and security agencies requesting them to return the Tharu youths to their respective places.

Amid lockdown, after receiving the information regarding State's inaction in maintaining minimum health standards, Commission recommended Nepal government to vest the responsibility of spreading COVID awareness and saving citizens from COVID to *badghar*. Due to handover of hospitals for Covid-19 treatment, Tharu people were deprived from receiving proper treatment for their genetic disease, sickle cell anaemia.Shortage of fertilizers, seed and tools due to lockdown, agricultural activities were largely hampered. Commission recommended Nepal government to ensure the representation of Tharu Community in District COVID Management Committee.

This year, many people lost their lives and properties to the Natural calamaties like flood and landslides. Further, massive impact of unseasonal rain was vivid. Tharu community is mostly involved in agriculture. To safeguard their

interests, the Commission provided various recommendation to the government.

Many people from Tharu community were killed in the year 2021. Trishal Chaudhary was murdered in Udayapur inhumanly. To ensure maximum punishment to the offender, the Commission has investigated on this incident and held discussions with Local Administration and Security force to conduct the investigation impartially.

Similarly, three people were killed with electric shock in Bardia. The Commission has time and again requested the administration to initiate proper investigation on the incident.

Tharu Community has been raising voices against the practice of *Kamaiya* and *Kamalhari*. Declaring *Kamaiya* and *Kamalhari* free zone, government has initiated programs fro proper management of them. However, they are deprived of many facilities provided by the government. They have no proper shelters and they continuously exposed to the risk of wildlife attacks.Many are facing the problem of social inclusion in absence of parents. Similarly, the inclusiveness of Tharu community in elections have been minimal and the Commission is continuously making efforts in increasing the same.

Even though 2021 was not a fruitful year for Tharu Community, the Tharu Commission is constantly working to make the lives of people, better. The Commission has initiated collaboration with stakeholders for the welfare of Tharu community, specifically with Parliamentary committees, NHRC and other constitutionally bodies.

Krishnakanta Upadhaya,
Secretary

Nepal Army

Working for the promotion, protection, and implementation of the Human rights and Humanitarian law.

Jiwan Prasad Dahal
Brigadier General, Director

Nepal Police

We are delighted to know that INSEC, a prominent Human rights organization in Nepal, is publishing Nepal Human Rights Year Book, 2022. The efforts of INSEC in publishing the year book since 1992 is commendable.

Nepal Police came into existence with the aim of maintaining peace and investigating the crimes. It is responsible to protect the constitutionally guaranteed rights of people along with the rights guaranteed by the National and International laws. . The organization has addressed the issues of human rights violation sensitively. .

Human rights is a backbone of the Nation. A human rights cell has been established in the head office of Nepal police for protection and promotion of the same. The cell is currently operating as a Human rights violation monitoring body. There are human rights departments in all provincial offices and metropolitan police office of Kathmandu. There is provision of focal officer for human rights protection in all area police offices that handle the cases.

Some of the remarkable works done by Nepal police in the year 2021 are mentioned below:

1. Towards the protection of Human rights

Orders were made for the implementation and investigation of complaints, suggestions and decisions received from the Office of the Prime Minister and Council of Ministers, Home Ministry,Courts, National Human Rights Commission, Commission of Truth and Reconciliation, etc.

Zero tolerance policy has been adopted in order to address the concerns of Human rights. Easy complaint mechanisms have been ensured. Necessary Contact details,email ids etc have been kept on the public domains ensuring easy access to everyone.

Strict actions are taken against the police personnel who violated the Human rights. Regular monitoring of the jail is ensured to reduce the cases of inhuman treatments in the custody.

2. Towards the promotion of human rights

Human rights training are incorporated in all the fundamental capacity building initiatives organized for the Police.

Training on 'Protection and Promotion of Human Rights' is provided to the Senior police officers and on 'Police prosecution and Human rights' is provided to the junior police officers and police constables every year. So far 24,169 police personnel have received the training.

A-day long human rights orientation program is conducted every month for the police officers working under metropolitan police office, District police office, area police office and police stations. So far, 13,249 police personnel have received the training.

Collaboration with National Human Rights Commission, concerned Ministries and National and International organization is promoted in order to increase the efficiency and effectiveness of the protection of Human rights.

A total of 494 CCTV cameras have been installed in all police offices conducting judicial activities.

Human rights is Universal in nature and is a concern of everyone. Noting the same, Nepal Police view the protection of Human rights as an important area within the organization. For this, the organization has been making various policies and work plans and working accordingly. We want to thank INSEC for their contribution in the area of human rights.

Bishnu Kumar KC
Senior Superintendent of Police

Armed Police Force, Nepal

- Armed Police Force, Nepal has adopted the policy for elimination of human rights violation and impunity. Thus, if any staff of the institution are found guilty in violation of human rights, a thorough departmental action is initiated against them.
- Adopting zero tolerance approach against the violation of Human rights, the institution has been conducting awareness programs regarding human rights protection in its offices and branches.
- To ensure the legitimate use of force in the peace keeping activities, the institution has been providing training to the officials regarding the UN Basic Principle on use of force and firearm. Issues of Human rights has been a priority in every training organized by the institution.
- The cases of human rights violation where Armed Police Force is deployed, has relatively been low as Armed Police force has always been conscious towards the protection of Human rights.
- The organization has been conducting different seminars in collaboration with governmental and non-governmental organizations for the protection and promotion of human rights.
- We ensure that there shall be no violation of human rights in the presence of Armed Police Force.

Concluding, we wish for the success of INSEC in bringing human rights issues through Nepal Human Rights Year Book, 2022 and believe, the institute will continue its work in protection and promotion of human rights.

Yuvraj Aryal,
Superintendent of Armed Police Force
Human Rights Cell,
Armed Police Force, Head Office

Federation of Nepali Journalists (FNJ)

We would like to congratulate INSEC for publishing 'Nepal Human Rights Year Book, 2022', covering the information about the abuses and violation of Human rights in the country.

its annual publication "Nepal Human Rights Year Book, 2022". The organization is continuously working in promotion and protection human rights in Nepal.

FNJ is closely studying the situation of "press freedom" in Nepal. The institution has established its own desk for monitoring and documenting the issues of press freedom and human rights. Monitoring desk has continuously been documenting the cases of attack, threatening and abduction against the journalists.

FNJ has documented 62 cases of violation of press freedom in 2021 which affected 190 journalists and four media houses. There were 32 cases of threatening against journalists, 10 cases of professional insecurity and five cases of attack on journalists. Similarly, there were four cases of arrest of journalists and of policy restriction against the journalist.

Many laws and registration safeguarding press freedom were formulated and tabled in the parliament. These tabled bills have challenged the scope of press freedom ensured by the Constitution of Nepal.

Professional security of the journalists has been hampered by the pandemic of Covid-19. Around 350 journalists were deprived of their wage, laid off and fired by the media houses in the name of pandemic. However, the problems of 300 journalists were addressed and and the Federation has been pressurizing the government to address the issues of rest 50 as well.

All these cases expose the situation of human rights in the country. It is unfortunate to note the involvement of responsible bodies and political parties in the instances of violating Human rights.

Bipul Pokharel
Chairperson
Federation of Nepalses Journnalists

Annex 5

Views of Provincial Government on Human Rights Situation

Province One

The contribution of INSEC in the field of human rights is praiseworthy. It has been documenting the cases of violations of the basic, natural, and fundamental rights to publish them into Nepal Human Rights Year Book. The document is being updated and comprehensive in its latest edition.

This important document has contributed to inform the overall human rights situation to make the people aware on human rights concerns and cases of human rights violation. Such contributions facilitate the public to be aware on their economic social and cultural rights. Similarly, it has contributed to ensure accountability in responsive authorities. The publication which incorporates the data and description of the human rights situation, contributes as an evidence to ensure justice to the victims.

Additionally, the detail analysis of the cases of human rights violation and abuse alerts and inspire the stakeholders and authorities for their necessary response in the protection of human rights. Similarly, it has provided the thoughts and knowledge to the other civil society actors for their improved contribution to advocate against the discrimination. It also contributes to reduce the engagement and support of the members of society who engage in protecting the accused in such cases of human rights violation.

I believe that the documents with the detail analysis of the cause of violence against women and children, and further progress in education, health, and justice system will definitely contribute to the all three spheres of the governments for their policies. There is the need of such publication to promote integrated intervention of all three levels of government to combat violence based on the traditional harmful practices.

The Province One Government is committed to ensure the rule of law in the mobilization of stakeholders for the assurance of respect towards human rights, rule of law, enhanced self-defense, and just society.

Rajendra Kumar Rai
Chief Minister, Province One

Madhesh Province

Informal Sector Service Center (INSEC) has been contributing for the protection and promotion of human rights as ensured under the Constitution of Nepal. INSEC's role in protection of the rights of common people of Nepal is commendable. I am happy to know that INSEC is about to publish 'Nepal Human Rights Year Book 2022' on February 19, 2022 which includes the cases of human rights violation for the period of 2021. The province government expects that the issues and concerns of this publication can

be blueprint for the government in the protection of human rights.

The Madhesh Province government has been committed for the protection of human rights since its establishment. I express my commitment to take all the necessary measures in bringing the perpetrator into account and ensuring justice to the victims of violation of human rights and abuse. I would like to express my best wishes to the entire team for involved for the publication of 'Nepal Human Rights Year Book 2022'.

Lalbabu Raut
Chief Minister, Madhesh Province

Bagmati Province

I have the knowledge of INSEC's establishment in the initiation of Praksha Kafle, human rights activist, with the aim of contribution for human rights and social justice in Nepal.

I would like to express my best wishes for the success of the publication of Nepal Human Rights Year Book 2022. INSEC is continuously publishing it since 1992. As the Human Rights Year Book is an evidence to reflect the situation of human rights in the country, I believe that it will be more reliable in presenting the facts and comprehensive data by incorporating the issues of economic social and cultural rights.

Implementation of the constitutionally guaranteed human rights are the obligation of all three levels of the government. Envision of democracy is not possible without the assurance human rights. The role and contribution of INSEC, as a human rights organization, is praiseworthy during the period of people's movements for the restoration of democracy.

In order to respect the constitutional provisions, the province government has implemented the strategies and programs through its annual policy and initiatives. There are at least two staff nurses in every local level of the province under school nurse program. The provincial government has also implemented the special program targeting the elimination of child marriage and street people. Scholarships are allocated to the female students for their higher education too. The government is also providing the subsidy in the products of the farmers. The province government has also been ensuring the vaccination against COVID-19 to all the individuals residing in the province.

Local government has been implementing the programs including, arrangement of house for the homeless, tratched roof management porgrams and special protection programs for the minorities and marginalized groups. Province Government of Bagmati is committed to protecting the various issues related to human rights guaranteed by the Constitution of Nepal, through promulgation and implementation of the laws.

In conclusion, I would like to express best wishes on behalf of the government, and believe to further strengthen cooperation with INSEC and other civil society organizations for the implementation of the human rights action plan endorsed by the state.

Rajendra Prasad Pandey
Chief Minister, Bagmati Province

Gandaki Province

It is an immense pleasure to know that INSEC is publishing Nepal Human Rights Year Book 2022 as in the previous years.

INSEC's performances for the protection of the rights of the victims of human rights violation and abuse is praiseworthy. Similarly, the documentation of such cases and disseminating the status of human rights violation is also commendable. INSEC has been publishing Human Rights Year Book in any kind of difficult situation. The publication is an important reference for the academicians and researchers in the field of hu-

man rights. The continuous contribution of the district representative and individuals involved in this publication is admirable. The trend and consequences of human rights violation is being changed in the society. I wish the success of this book and hope that it would present the comprehensive aspects of caste based discrimination.

Krishna Chandra Nepali Pokharel
Chief Minister, Gandaki Province

Lumbini Province

It is a pleasure to know that Informal Sector Service Center (INSEC), Nepal has been continuously contributing in protection and promotion of human rights in Nepal. I believe that it will continue to be an active organization for human rights protection and promotion in the future too.

The Province Government of Lumbini is ensuring its necessary efforts to maintain human rights, peace, security, and non-violence. The government is taking various steps to reduce the cases of human rights violations and abuses. Human rights can be guaranteed to all the individuals residing in the province if everyone makes a joint effort and collaborate with each other for the cause of human rights. In this regard, I have directed the government to ensure the programs.

I would like to express my best wishes for the publication of "Nepal Human Rights Year Book 2022" which includes the issues, causes, and context of human rights violation.

Finally I would like to express my best wishes to INSEC and expect the contribution of INSEC in achieving the Government of Lumbini Province's determination of "Prosperous Lumbini and Self-reliant Province". Thank you.

Kul Prasad KC
Chief Minister, Lubini Province

Karnali Province

Informal Sector Service Center (INSEC) has been publishing Nepal Human Rights Year Book since 1992, by collecting the cases of human rights violation and abuse throughout the year to draw the attention of the stakeholders and concerned authorities.

Karnali is the largest province among the seven which has the highest multidimensional poverty rate due to limited resources and geographical remoteness, lacks minimum physical infrastructure including unemployment and poverty, high food insecurity and lack of clean drinking water, lack of access to quality education, and insecure settlements. The state is not fully connected with the national road network.

Traditions harmful social practices like *Chhaupadi*, caste based discrimination, polygamy, incestuous marriages, dowry, weak consciousness, gambling, alcohol consumption, fear are the fueling factor for the cases of domestic violence, violence against women and children and human rights violation. In the cases of women and child rights violation the people and the non-state institutions are found responsible. Incidents of such crime are not being public due to the insecurity, fear. Therefore, most of the cases were out of the legal proceeding and reporting. INSEC should document the cases of human rights violations that have taken place in a far-reaching areas with the root cause of them to bring the hidden cases into surface.

Provincial Planning Commission of Karnali has used this book as a source of information in its five year plan. The book, which has become a reliable source of human rights information, now needs to be made province-level. In line with the prospects of federalism, the Year Book should cover the provincial issues of human rights concerns including the issues of economic, social, and cultural life of

Karnali People, incidents of women rights violation, rights of persons with disabilities, minorities, and typical issues of RAUTE people. Similarly, the Year Book should review legal and policy context relating to human rights every year.

Finally, I would like to express my best wishes for the publication of Nepal Human Rights Year Book 2022.

Jiwan Bahadur Shahi
Chief Minister, Karnali Province

Sudurpashchim Province

The Sudurpashchim Province has been committed to the overall development and good govern

ance as per the principle of the Constitution of Nepal and the state's commitment towards prosperity, security, and basic rights of its citizens. Policies and programs of the province government prioritizes to eliminate all forms of discrimination, guarantee freedom, combating violence against women, human trafficking and drug trafficking, and respect the fundamental human rights. The government has aimed to end sexual violence, rape, and acid attack. Similarly, the government anticipates its role to facilitate the civil initiative for psychosocial counseling. The province is moving towards good governance, development and prosperity by conducting programs such as agriculture and livestock development programs targeted at single women, freed kamaiyas, freed kamalaris, badis, dalits, persons with disabilities and conflict affected people.

The Sudurpashchim Province Government has facilitated employment program, agriculture and animal insurance program, women protection home establishment and women development and empowerment program, expanded health care program, education service campaign for all, access to clean drinking program, Chief Minister integrated settlement development program etc. The government is active in addressing the people needy issues and problems.

The province government has been collaborating with the concerned stakeholders, civil society organization, intellectuals, and authorities for the effective implementation of the policies and programs of the government to ensure the proper result and benefits to the targeted people. The province government has guaranteed human rights by promulgating human rights friendly laws and their effective implementation.

It is admirable that the Year Book has documented summary status and data of the cases of human rights violation and abuse that occured in 2021. I sincerely express my best wishes to INSEC with the belief of continuation of this publication in the future.

Trolochan Bhatta
Chief Minister, Sudurpashchim Province

Annex 6

Name of Contributors in Course of Preparation of Year Book 2022

CONTRIBUTORS TO CHAPTERS

Chapter 1:
Situation of Human Rights in 2021: Overall Assessment
Issues of Human Rights Protection
Writer: Bijay Raj Gautam
Executive Director, INSEC

Let's ask: Where are they?

Chapter 2:
State and Human Rights

2.1 Judiciary
Writer: Samjah Shrestha

2.2 Executive
Writer: Ramesh Prasad Timalsina

2.3 Legislature
Writer: Madan Paudel

Chapter 3:

3.1 Economic, Social and Cultural Rights of the Locals of Sri Lanka Island
Writer: Punya Prasad Adhikari

3.2 Increasing Discrimination against the Dalit Community
Writer: Raju Paswan

3.3 Contradictions between the Locals and the Government for the Use of Natural Resources available at the Buffer Zone of Chitwan National Park
Writer: Ganesh Bhandari/
Deependra Adhikari

3.4 Impact of COVID-19 on the Tourism Sector of Pokhara
Writer: Nupur Gupta/Sushan Ghimire

3.5 Enforced Disappeared People of Bardiya District and Their Human Rights
Writer: Man Bahadur Chaudhary

3.6 The Raute Community: A Study of the Condition in Last 15 Years
Writer: Meena Budhathoki

3.7 The Badi Community: The Issue of Children's Rights
Writer: Krishna BK

DISTRICT REPRESENTATIVES

Province 1

1.1	Taplejung	- Dev Raj Gurung
1.2	Sankhuwasabha	- Bhabin Karki
1.3	Solukhumbu	- Bhoj Raj Karki
1.4	Okhaldhunga	- Shiva Prasad Dhungana/ Saraswati Baniya
1.5	Khotang	- Ramdhan Rai/ Taranath Phuyal
1.6	Bhojpur	- Ganesh Bista
1.7	Dhankuta	- Ishwar Thapa
1.8	Tehrathum	- Bhagishwor Limbu/ Suresh Khatri
1.9	Panchthar	- Mangal Begha/ Sahaman BK
1.10	Ilam	- Babita Mainali
1.11	Jhapa	- Naresh Khati
1.12	Morang	- Netra Prasad Adhikari/ Arjun Darji
1.13	Sunsari	- Jay Krishna Yadav
1.14	Udaypur	- Bharat Khadka/ Sujata Dhungana

Madhesh Province

2.1	Saptari	- Manohar Kumar Pokharel
2.2	Siraha	- Durga Pariyar
2.3	Dhanusha	- Dipendra Prasad Singh
2.4	Mahottari	- Ajay Sah
2.5	Sarlahi	- Budhan Sah
2.6	Rautahat	- Kopila Timalsina
2.7	Bara	- Bholanath Paudel
2.8	Parsa	- Krishna Chandra Lamichhane

Bagmati Province

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	- Bimala Paudel/ Bimal Paudel
3.7	Bhaktapur	- Ramesh Giri
3.8	Lalitpur	- Dipak Prasad Ghimire

3.9	Kavrepalanchok	- Hira Man Tamang
3.10	Ramechhap	- Nava Raj Ghimire
3.11	Sindhuli	- Bimala Pandey/ Nabin Babu Adhikari
3.12	Makawanpur	- Pushpa Raj Adhikari
3.13	Chitwan	- Dipendra Adhikari

Gandaki Province

4.1	Gorkha	- Hari Ram Upreti
4.2	Manang	- Dal Bahadur Majakoti
4.3	Mustang	- Amrit Prasad Paudel
4.4	Myagdi	- Amrit Prasad Paudel
4.5	Kaski	- Susan Ghimire
4.6	Lamjung	- Dal Bahadur Majakoti
4.7	Tanahun	- Prakash Chandra Bhattarai
4.8	Nawalparasi East	- Tirtha Raj Dumre
4.9	Syangja	- Til Kumari Thapa
4.10	Parvat	- Santosh Thapa
4.11	Baglung	- Sirjana Panta

Lumbini Province

5.1	Rukum East	- Manisha KC
5.2	Rolpa	- Harisara Gharti/ Tilak Gharti
5.3	Pyuthan	- Rabindra Pandey
5.4	Gulmi	- Toplal Aryal
5.5	Arghakhanchi	- Narayan Prasad Bhusal/ Kul Bahadur Nepali
5.6	Palpa	- Yagyamurti Timalsina
5.7	Nawalparasi West	- Narayan Parajuli
5.8	Rupandehi	- Reema BC
5.9	Kapilbastu	- Parbati Acharya
5.10	Dang	- Jay Narayan Pun
5.11	Banke	- Smriti Devkota
5.12	Bardiya	- Man Bahadur Chaudhary

Karnali Province

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	- Manisha KC
6.9	Salyan	- Meena Budhathoki
6.10	Surkhet	- Durga Thapa/ Purna Bahadur Khadka

Sudurpashchim Province

7.1	Bajura	- Padam Bahadur Singh
7.2	Bajhang	- Ramesh KC/ Satya Raj Singh
7.3	Darchula	- Narendra Singh Karki
7.4	Baitadi	- Nari Datta Badu
7.5	Dadeldhura	- Bhupendra Bista
7.6	Doti	- Bashudev Joshi/ Ganehs Joshi
77	Achham	- Shiva Raj Dhungana
7.8	Kailali	- Mainamoti Chaudhary
7.9	Kanchanpur	- Komal Niranjan Bhat/ Lily Kunwar

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 a reward of NPR 7,000.

Best Representatives

Naresh Khati
Jhapa, Province 1

Kopila Timalsina
Rautahat, Madhesh Province

Natibabu Dhital
Sindhupalchowk, Bagmati Province

Prakash Chandra Bhattarai
Tanahun, Gandaki Province

Parbati Acharya
Kapilbastu, Lumbini Province

Amar Sunar
Dailekh, Karnali Province

Shiva Raj Dhungana
Achham, Sudurpashchim Province

Provincial Office

Province 1: Somraj Thapa, Punya Prasad Adhikari, ***Madhesh Province:*** Raju Pasawan, Sagar Kandel
Bagmati Province: Krishna Gautam, Ganesh Bhandari, ***Gandaki Province:*** Shiva Khakurel, Nupur Gupta
Lumbini Province: Bhola Mahat, Binod Pandey, ***Karnali Province:*** Narayan Subedi, Tika Bista
Sudurpashchim Province: Khadak Raj Joshi, Krishna Bahadur BK
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