

# Asian Centre for Human Rights

C-3/441-C, Janakpuri, New Delhi-110058, India

Tel/Fax: +91-11-25620583, 25503624

Website: [www.achrweb.org](http://www.achrweb.org); Email: [achr\\_review@achrweb.org](mailto:achr_review@achrweb.org)

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## Nepal: One month of anarchy of the monarchy

(The 4<sup>th</sup> weekly briefing paper on the key human rights concerns in Nepal from 24 February-2 March 2005)

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## 1. Overview

On 1 March 2005, King Gyanendra Bir Bikram Shah Dev completed one month of the *coup d'état*. In his first comments to the Nepalese media on 24 February 2005 since 1 February 2005, King Gyanendra shrugged off the suspension of military aid by India and Britain and reiterated his demand for three years to restore democracy.<sup>1</sup> Finance Minister Madhukar Shumsher Rana claimed that the government has adequate internal resources to finance military deployment.<sup>2</sup> King Gyanendra<sup>3</sup> and the Royal Nepal Army (RNA)<sup>4</sup> amply made it clear to the international community to choose between the Maoists and the King.

While the Communist Party of Nepal (Maoist) called off the indefinite blockade imposed on highways across the country on 26 February 2005,<sup>5</sup> international community is faced with defiance of King Gyanendra. The coup in Nepal should not be perceived as a simple case of an old fashioned monarch's grab for more power. Only at the age of four years, Prime Minister Shamsheer Rana declared Prince Gyanendra as the King in 1950 after Gyanendra 's father King Tribhuvan fled to India with late Bir Bikram Shah Dev. As a prince, Gyanendra was infamous for meddling in political affairs and even allegedly supported the Maoists in the beginning to discredit the democratic forces. The psychological aspect for certain amount of irrationality in the decision making by King Gyanendra cannot be overlooked. The conditions and deadlines often set by King Gyanendra should be noted.

Truth has become a casualty in Nepal and as this Briefing Paper covering the events from 24 February to 2 March 2005 shows, human rights catastrophe is gradually unfolding. With press freedom gagged and virtually all human rights activists and political activists being detained in Kathmandu valley, Nepal presently witnesses enforced normality if the lack of any major political protest is any yardstick. Yet, the telecast of the civilians flogging the dead bodies of the Maoists in presence of the RNA personnel in Kapilavastu district in late February 2005 adds credence to the allegations that the reported lynching of the Maoists by the public was pre-planned. Otherwise, given the censorship and Maoist blockade, how could the TV cameras managed to reach the spot?

The choice must not be between two anarchist forces - the Maoists and King Gyanendra. International community must ensure that the anarchists – both King Gyanendra and his storm troopers and the Maoists –find a solution with the democratic forces.

The decision of the World Bank to suspend its US\$ 70 million budgetary support for the current fiscal year under the Poverty Reduction Strategy Credit (PRSC)-II, albeit for

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1. Give me 3 years: Gyanendra, The Times of India, 26 February 2005

2. Will Nepal meet the resource gap?, The Kathmandu Post, 24 February 2005

3. Fight against terrorism single national agenda: HM, The Kathmandu Post, 25 February 2005

4. Aid cut will hurt: Nepal, The Times of India, 24 February 2005

5. Maoists call off blockade, The Kathmandu Post, 27 February 2005

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financial reasons - extremely slow implementation of agreed reform measures - is welcome. The government had failed to honour three of the four conditions agreed upon during the PRSC-I negotiations - strong action against the willful defaulters, expediting governance reforms, and enacting flexible labour laws. Under the present circumstances, the government of Nepal cannot implement any of the reform programmes.<sup>6</sup> It is essential that other financial institutions such as IMF and the Asian Development Bank, United Nations agencies and bilateral donors suspend all humanitarian and development aid until the King restores democracy. The government of Nepal simply does not have the capacity to deliver aid or undertake any development activity. The potentiality for the mis-use of development and humanitarian aid to prolong the suffering of the people of Nepal must not be overlooked

The United States, European Union including the United Kingdom, India and others must address the human rights catastrophe in Nepal. These countries must sponsor a motion at the forthcoming 61<sup>st</sup> session of the United Nations Commission on Human Rights to hold a Special Sitting on the situation of human rights in Nepal.

The defiance by King Gyanendra must be addressed effectively for the sake of bringing an end to the sufferings of the people of Nepal.

## **2. Extrajudicial killings by the RNA**

The Royal Nepal Army continues to claim heavy casualties on the side of the Maoists. On the night of 28 February 2005, at least 70 Maoist rebels and 4 security forces personnel were reportedly killed in a violent gun battle between the Maoists and the security forces in Ganeshpur village on the Gulariya-Nepalgunj road section of Bardiya district.<sup>7</sup> It is impossible to verify the claims. In the past, many such claims were either found to be massacre of civilians or untrue.

Hundreds of villagers reportedly attacked several houses of suspected Maoist sympathisers and set afire 20 such houses in Singhokhor, Parsohia and Labani VDCs in Kapilavastu district on 23 February 2005. The villagers also beat a Maoist cadre to death in Lalbani. In the last fortnight, villagers reportedly lynched 22 Maoist cadres in retaliation to attacks on them.<sup>8</sup> On 23 February 2005, the villagers had burnt some 300 sheds in Shibapur VDC.<sup>9</sup>

The telecast of the civilians flogging the dead bodies of the Maoists in presence of the RNA personnel in Kapilavastu district in late February 2005 adds credence to the allegations that the reported lynching of the Maoists by the public was pre-planned.

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6. IMF may follow suit WB to suspend \$ 70m aid, The Kathmandu Post, 26 February 2005

7. 74 killed in Nepal clash, The Times of India, 1 March 2005

8. Irate Kapilavastu villagers burn houses, The Kantipuronline, 24 February 2005

9. Villagers burn 20 houses, kill Maoist, The Kathmandu Post, 24 February 2005

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Otherwise, given the censorship and Maoist blockade, how could the TV cameras manage to reach the spot?

The Maoists alleged that that a group of 500 RNA led police, criminals and vigilantes went to Sishihawa and Ganeshpur and dragged out more than 15 civilians from their houses. They were ruthlessly tortured and killed in the base camp of Armed Police in Krishnanagar. Bishnu Panthi, district convener of All Nepal Trade Union and Yam Bahadur Dala Magar and Jhilkan Yadhav were killed in Krishnanagar base camp on 17 February 2005. Shivaram Gupta, Ram Charitra Pakhi, Abadhram Keber, Shiwa Kahar of Sishihawa Village, Sunder Mourch, Baburam Upadhya, Rajwali Mourch of Ganeshpur village, Sobhai Pasi, Bahu Pasi, Gobere Pasi, Bekaru Pasi of Bhagawanpur were also tortured to death on the same day.

On 24 February 2005, one Surendra Shrestha, a mentally challenged civilian, was killed at Ratdada area of Baglung municipality-4. Chief District Officer Prem Narayan Sharma after verifying the incident said the security forces shot dead the victim suspecting him as a Maoist as he had tried to flee after seeing the security patrol. Shrestha is survived by his wife, a son and two daughters.<sup>10</sup>

On 25 February 2005, three civilians were reportedly injured in an alleged crossfire between the Maoist rebels and security forces at Badaipur area of Kailali district. The injured were airlifted to Nepalgunj for medical treatment.<sup>11</sup>

On the morning of 25 February 2005, at least four security personnel and about a dozen Maoists were allegedly killed during an encounter in Bادهपुर area of Masuriya village in Kailali district. The RNA sources also claimed that scores of rebels were killed in another fighting in Pathariya area.<sup>12</sup>

On 27 February 2005, Dhan Bahadur Oli alias Bijaya, an alleged Maoist was killed during security operations at Nisti of Gulmi district.<sup>13</sup>

### **3. Repression on the political activists**

Though the government of Nepal has released nine political leaders on 25 February 2005, the ban on political activities continues unabated.

Telephone lines of about two dozens leaders still remain cut off, including those of Nepali Congress President Girija Prasad Koirala, CPN-UML General Secretary Madhav Kumar Nepal, People's Front Nepal leader Amik Sherchan, Nepal Workers and Peasants Party Chairman Narayan Man Bijukchhe, Youth leaders Binod Kayastha, Gokarna Bista

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10. Civilian killed, 3 injured, The Kathmandu Post, 27 February 2005

11. *ibid*

12. 4 forces, scores of Maoists killed Rebels plunder NTV station, The Kathmandu Post, 26 February 2005

13. Twelve security men, Maoist killed in clashes, The Himalayan Times, 28 February 2005

and Gagan Thapa, Kathmandu NC leaders Tirtha Ram Dangol, Bhimsen Das Pradhan, Bhaktapur NC leader Lekhanath Neupane, WPP leader Prem Suwal, PFN leaders Lila Mani Pokharel and Ghanashyam Poudel.<sup>14</sup> Hundreds of political activists remain under house arrest or in prisons under the Public Safety Act.

On 1 March 2005, US Ambassador to Nepal, James F Moriarty was prevented from meeting Nepali Congress President Girija Prasad Koirala, who is under house arrest. This was the second time that Ambassador Moriarty had been denied access to Koirala since 1 February 2005.<sup>15</sup>

On 1 March 2005, security forces arrested 31 CPN-UML activists who were demanding the restoration of democracy in different parts of Pokhara city. Police however said only 29 workers were arrested. On the same day, three workers of the CPN-UML were also arrested in Damauli.<sup>16</sup>

On 27 February 2005, police arrested 17 cadres of the Nepali Congress across the country, as they staged protest demonstrations demanding the restoration of peace and democracy. Sirjana Adhikari, a central member of Nepali Students' Union, and Medini Sitaula, a former NSU vice-president, were arrested from Kathmandu. While eight NC activists were arrested in Parsa district, NC District President Raghu Paudel and Purushutam Kafle were detained in Tanahun district. Five NC activists were arrested in Dhangadi while taking out a protest rally.<sup>17</sup> The detainees include NC district chief Chandra Singh Bhattarai.<sup>18</sup>

On 23 February 2005, an elderly leader of NC, Bhaktapur Tilak Prasad Kayastha, was arrested.<sup>19</sup>

On 25 February 2005, nine detainees including former ministers Homnath Dahal of the Nepali Congress (Democratic), Astha Laxmi Shakya of the CPN-UML, Prof Lokraj Baral, UML leader Pradip Nepal, General Secretary of the Federation of Nepalese Journalists Bishnu Nisthuri, former president of University Teachers' Association Khagendra Bhattarai, former lawmaker from the Nepali Congress, Shiva Basnet, NC leader Nona Koirala, and CPN-ML general secretary C P Mainali were released.<sup>20</sup>

#### **4. Valley detention for the human rights defenders**

Although Gauri Pradhan of Child Workers in Nepal Concern Centre (CWIN) was released on 28 February 2005 following a Supreme Court order, most human rights

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14. Phone lines of leaders cut, The Kathmandu Post, 24 February 2005

15. <http://www.kantipuronline.com/kolnews.php?&nid=33085>

16. 34 UML cadres arrested, The Kathmandu Post, 2 March 2005

17. 17 NC protestors detained across Nepal, The Kantipur Online, 1 March 2005

18. Demonstrators arrested, The Kathmandu Post, 28 February 2005

19. Phone lines of leaders cut, The Kathmandu Post, 24 February 2005

20. Nisthuri among nine set free, The Himalayan Times, 26 February 2005

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defenders and political activists remain under detention in Kathmandu valley. They are not permitted to move out of the valley. The government is also reportedly planning to regulate the activities of human rights organisations and the International Committee of the Red Cross.<sup>21</sup>

After the release, some plain-clothes security personnel followed Gauri Pradhan from the Supreme Court premises and arrested him at Maitighar. They dragged him out of his car and whisked him off to Singhadurbar Ward Police Office. It was not clear whether he has been threatened with dire consequences. He was later released.<sup>22</sup>

On 26 February 2005, human rights defender Subodh Raj Pyakurel, Chairperson of Informal Sector Service Center (INSEC) was prevented from traveling to Nepalgunj where he was supposed to conduct a training workshop on humanitarian laws for security persons located in the Mid-Western Development Region. This is despite the fact that it was the security forces who requested to hold the training workshop.

On 24 February 2005, security officials at the immigration department in Kathmandu did not allow Dr Om Gurung, general secretary of the Nepal Federation of Indigenous Nationalities to fly to Kolkata from Tribhuvan International Airport. Dr Gurung was scheduled to participate in regional preparatory meetings of the 4th session of the United Nations Permanent Forum on Indigenous Issues being held in India. Gurung was leading a 25-member delegation representing about 25 organisations of indigenous communities in Nepal. All delegates had to cancel their flights due to the uncalled-for action of the security forces.<sup>23</sup>

On 21 February 2005, former Supreme Court Justice Laxman Aryal was also stopped at the Airport at the eleventh hour. He was about to fly to Mumbai to attend a regional conference on women's rights and anti-trafficking organized by South Asian Regional Equity Program.<sup>24</sup>

About 200 leaders of various organizations and occupations including Padma Ratan Tuladhar (former minister), Krishna Pahadi, Daman Nath Dhungana (former Speaker), Gopal Shiwakoti "Chintan", Dr Gopal Krishna Shiwakoti, Dr Mathura Prasad Shrestha (former minister), Sushil Pyakurel (member of National Human Rights Commission), Subodh Pyakurel, Gauri Pradhan, Prof Kapil Shrestha (member of National Human Rights Commission) and Dr Arjun Karki. Nilambar Acharya, Prof Krishna Prasad Khanal, Prof Krishna Hachhethu, Prof Om Gurung, Prof Krishna Bhattachan, Shyam Shrestha (editor of Mulyankan monthly), Laxman Prasad Aryal (former Supreme Court Justice), Sindhu Nath Pyakurel (former president of Nepal Bar Association), have been restricted from leaving the Kathmandu Valley.<sup>25</sup>

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21. Govt to regulate HR groups, The Kantipuronline, 25 February 2005

22. SC releases Pradhan, The Kathmandu Post, 1 March 2005

23. Janajatis' top leader barred from flying to India, The Himalayan Times, 25 February 2005

24. Travel restriction troubles those on the list, The Kathmandu Post, 25 February 2005

25. Ibid

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## 5. Fresh restrictions on press freedom

The press freedom continues to remain under complete suspension.

On 23 February 2005, the District Administration Office (DAO) had summoned five editors to explain – as to why they had left the editorial columns blank in their last week's editions. Two of them Rajendra Vaidya, chief editor of Bimarsha, and Kabir Rana, chief editor of Deshantar were questioned by the DAO. On 24 February 2005, DAO questioned editors of three vernacular weeklies- Gopal Budathoki, publisher/editor of Sanghu; Nawaraj Timalina, editor of Prakash; and Shashidhar Bhandari, editor of Haank. The editors were released on the condition that they appear in person before the DAO whenever required.<sup>26</sup>

On 1 March 2005, the Ministry of Communication and Information issued fresh directive prohibiting the media to disseminate any information or publish news related to security matters without obtaining prior information from the security sources. The media directive said any news, interview, information, article and opinion published or disseminated through media that supports terrorism and subversive activities would be liable to be punished under Press and Publication Act-2048 BS and National Broadcasting Act-2049 BS. Chief District Officer of Kathmandu Bavan Prasad Neupane asked the editors to comply with the government directives while covering news on security matters.<sup>27</sup>

## 6. Lack of independence of judiciary

On 28 February 2005, the Supreme Court of Nepal admitted a petition challenging the rejection of a writ petition on the exercise of non-suspended rights under Article 88(2) during the state of emergency. An SC bench ordered its administration to furnish details regarding its decision to reject a writ petition filed by Chetendra Badhadur Singh earlier. The SC administration rejected the writ petition stating that SC cannot entertain such writ petitions on legal rights during the state of emergency as most fundamental rights, including right to constitutional remedy, have been suspended. The SC had entertained over 400 writ petitions on legal remedy during the last emergency in 2001-2002.<sup>28</sup>

## RCCC: The Damocles sword on the judges

The Royal Commission on Corruption Control (RCCC) is not aimed to address corruption but to silence all forms dissent whether by the political leaders or the judges. The Royal Commission on Corruption Control has paralysed the existing bodies for

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26. Ktm DAO grills 5 editors, The Kathmandu Post, 25 February 2005

27. Government issues media directives, Kantipur Online, 2 March 2005

28. SC orders details on writ petition rejections, The Kathmandu Post, 1 March 2005

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investigation into corruption i.e. the Commission for Investigation of Abuse of Authority (CIAA) and the Special Court meant to consider the CIAA's prosecutions.

The prosecutor under the King's royal edit is the judge and jury. The RCCC can even investigate "the judges of the Supreme Court and office bearers of all constitutional bodies". The RCCC may proceed with prosecution against such individuals as long as it has informed the King. For a Supreme Court already submissive and intimidated, the independence of judges has been destroyed.

The royal edit on the RCCC forbids any criticism of the commission and provides for punishment for such criticisms. It also prohibits anyone from protesting an investigation being conducted by the commission and provides for punishment for such protest. While there is a provision for appeal to the Supreme Court within 35 days of a decision by the commission, with the Supreme Court judges coming under the purview of the Royal Commission on Corruption, there is no forum to seek justice.

A look at the members of the Commission is self-explanatory. It is chaired by Bhakta Bahadur Koirala who was the Secretary of Home Affairs during the repression of the People's Movement of 1990. He was found to be the most culpable by the Mallik Commission that inquired into human rights violations during pro-democracy uprisings in 1990s. Other members are Raghur Chandra Bahadur Singh, a retired army general, pilot and royal relative; Hari Babu Chaudhary, former head of the Department of Intelligence; Sambhu Prasad Khanal, a retired official from the Revenue Service; and Prem Bahadur Khati, whose antecedents are unclear. The only person with judicial experience in the commission is Sambhu Bahadur Khadka, who has been appointed secretary. He is a relatively junior in the judicial service and a sitting judge of the Kaski District Court.

The royal edit on the RCCC has effectively empowered a district judge to prosecute the Supreme Court judges for alleged corruption.

## **7. Impact of blockade on economic and social rights**

The decision of the Communist Party of Nepal (Maoist) to call off the indefinite blockade imposed on highways across the country on 26 February 2005 has brought much needed relief across the country. However, the Maoists warned of similar strikes next month if the "situation doesn't improve in the country".<sup>29</sup>

The drivers and vehicle owners are caught between the devil and deep blue sea. The Maoists sought to violently impose the blockade as stated in our previous Briefing Papers. On the morning of 27 February 2005, Maoist insurgents torched some vehicles plying along the Mahendra Highway near the 3 No Pool of Bara district. Most of the vehicles were reportedly carrying passengers. Following the incident, the Maoist insurgents ambushed a vehicle of the Royal Nepalese Army heading to the incident

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29. Maoists call off blockade, The Kathmandu Post, 27 February 2005

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site. A few security personnel were reportedly seriously injured.<sup>30</sup> On the same day, on 27 February 2005, Maoists torched five vehicles on the Hetauda-Patlaiya section of Mahendra Highway. Among the vehicles destroyed were trucks with huge loads of food grains heading to Hetauda from Birgunj.<sup>31</sup>

If the violence by the Maoist was not enough, the government of Nepal has adopted equally draconian measures. Following the Maoists blockade, the Department of Transportation Management recently decided to nullify the registration of public vehicles that do not ply the highways they have acquired permit order for. In case of non-compliance to ply the specified highways, even the license of the driver of such vehicle could be cancelled. The new rules have been enforced throughout the country.<sup>32</sup>

### **Food shortage**

The people in the remote hill districts of the mid-western region suffered from acute food shortage as the authorities have failed to supply the required quota of food grains to these districts. Though it's been quite sometime since the rice stocks in the food godowns of Jumla, Humla, Kalikot, Dolpa and Mugu districts have been exhausted, the authorities are yet to supply the allotted quotas to these districts. Residents of far away villages, who have been coming to the district headquarters in the hope of acquiring food grains, have to return home empty handed. One Lokmani Acharya of Pina Village Development Committee (VDC) in Mugu district told the press that he did not have a single grain of food left in his house and had come to collect rice but was asked to come back only after the helicopter brought in the supply. Out of the 5,900 quintals of rice allotted by the government to the Mugu district for the current fiscal year, only 2,400 quintals have actually reached so far.<sup>33</sup>

There were reports of severe shortage of essentials commodities such as kerosene, gas and salt in three hilly districts of the eastern region — Ilam, Panchthar and Terhathum. Annual exams in the schools have been postponed. More than 50,000 students are stranded.<sup>34</sup>

### **Right to education**

The Maoists also imposed an indefinite educational bandh in Bardiya and Chitwan districts. A total of 371 schools have been closed in Bardiya district following the Maoist threats. The Maoists have reportedly instructed the teachers and students to boycott classes until further notice. The Maoists' diktat comes a month before the School Leaving Certificate examinations and over 100,000 students in Bardiya district have been affected.

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30. Maoists torch vehicles, ambush security forces in Bara, The Nepal News, 28 February 2005

31. 5 vehicles destroyed, The Kathmandu Post, 28 February 2005

32. DoTM warns vehicles not plying routes, The Kathmandu Post, 2 March 2005

33. Acute food shortage in Mid-west, The Kathmandu Post, 25 February 2005

34. Nation reels under blockade, The Himalayan Times, 25 February 2005

In Chitwan district, over 70,000 students belonging to 240 schools (private and public) have been affected by the Maoists' educational bandh. The Maoists reportedly abducted over 200 students and teachers from Bhumadevi Secondary School at Deurali VDC in Nuwakot district.<sup>35</sup>

### **Right to the highest attainable standard of physical and mental health**

The routine vaccination programmes have also been badly affected in the eastern hilly and Himali districts after the drugs supply was cut following the disruption of transportation services. Medicine could not be delivered to the hill districts of Terhathum, Khotang, Taplejung, Okhaldhunga, Dhankuta, Sankhuwasabha, Bhojpur, Ilam, Phidim and Solukhumbu. The stock of vaccines against polio, BCG, DPT, measles and hepatitis B has come near to an end, thereby affecting the regular vaccination programmes, which are conducted in the first and last week of every month.<sup>36</sup>

## **8. Atrocities by the Maoists**

The Maoists continue to be responsible for gross violations of international humanitarian laws.

On 23 February 2005, two civilians were injured when a bomb planted by the Maoists on the Lamahi-Bhaluwang section of the Mahendra Highway went off. They have been identified as Shiba Shankar Chaudhari, 12, and Santu Chaudhari, 25, of Chaulahi VDC-6. According to Shiba Shankar, the explosion took place when he stepped on the bomb unknowingly. The injured are undergoing treatment at Mahendra Hospital in Ghorahi, the district headquarters.<sup>37</sup>

On the morning of 24 February 2005, suspected Maoist insurgents shot dead central member of the World Hindu Youth Federation, Chandra Prakash Rathaur at his residence in Bulbule gate of Birendranagar municipality in Surkhet district. He died on the way to hospital.<sup>38</sup>

On the night of 25 February 2005, a civilian identified as Ghar Baran Teli was shot dead in Labani VDC in Kapilvastu district. On the night of 26 February 2005, the Maoists reportedly killed Bedullah Jolha, Maksoor Alam and Mohammed Hakik in Jahari village development committee (VDC) in the same district. The deceased were allegedly involved in retaliatory action against Maoists.<sup>39</sup>

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35. Maoists shut schools in Bardiya, Chitwan; abduct students in Nuwakot, The Nepal News, 26 February 2005

36 . Medicine shortage hits eastern hills, The Himalayan Times, 25 February 2005

37. Forces gun down 4 Maoists, The Kathmandu Post, 24 February 2005

38. Suspected Maoists kill Hindu leader in Surkhet, abduct youths in Dhading, The Nepal News, 25 February 2005

39. Maoists kill four civilians, The Kathmandu Post, 28 February 2005

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On the night of 26 February 2005, the Maoists reportedly killed three brothers of a family at Masina VDC in Rupandehi district on charge of being members of a resistance committee against them.<sup>40</sup>

On 27 February 2005, Deputy Superintendent of Police, Bikram Chand, and his body guard, police constable Dilli Raj Panthi were shot dead by Maoists in Butwal.<sup>41</sup>

Although on 27 February 2005, the Maoists reportedly freed more than 250 students and teachers of Thumdevi Secondary School of Deurali VDC, who were abducted on 24 February 2005,<sup>42</sup> there have been regular reports of abductions of innocent civilians including students.

On the night of 21 February 2005, suspected Maoist insurgents abducted three youth identified as Gautam Ghale, Dhana Bahadur Pariyaar and Rudal from their houses in Dhading district. The youths were preparing to go to bed before being abducted. Their whereabouts is not known.<sup>43</sup>

On 26 February 2005, Maoists abducted Raju Panta and Uddhav Panta of Belkot -3 in Nuwakot district for alleged non-compliance.<sup>44</sup>

On the night of 24 February 2005, Maoists attacked and set ablaze the state run Nepal Television's regional programme production and broadcasting centre in Kohalpur in Banke district, inflicting damage to the tune of crores of rupees. After cutting the telephone line, they kept on carrying off machines from the centre for about two hours. Those they did not want to take or could not take away including the studio, control room, storeroom, administration wing and the accounts section were torched. All furniture, machines and electronic equipment were destroyed in the fire.<sup>45</sup>

On the evening of 26 February 2005, Maoists damaged two government office buildings used by the Department of Survey and Revenue Office in Hetauda by exploding bombs.<sup>46</sup>

## **9. Actions against the Maoists by the government of India**

The Ministry of Home Affairs of the government of India has reportedly prepared a plan for approval by the Cabinet to virtually seal the Indo-Nepal border by almost doubling the strength of the Sashastra Seema Bal (SSB) which keeps a vigil along Indo-Nepal

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40. Maoist shoot dead DSP, his body guard in Butwal, The Nepal News, 28 February 2005

41. Ibid

42. Maoists abduct youths, The Kathmandu Post, 28 February 2005

43. Suspected Maoists kill Hindu leader in Surkhet, abduct youths in Dhading, The Nepal News, 25 February 2005

44. Maoists abduct youths, The Kathmandu Post, 28 February 2005

45. NTV's Kohalpur regional station set ablaze, The Himalayan Times, 26 February 2005

46. 5 vehicles destroyed, The Kathmandu Post, 28 February 2005

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border. The Home Ministry proposes to raise an additional 20 battalions of the SSB, in addition to the existing 25 battalions. Each battalion has 1,000 personnel.<sup>47</sup>

On 21 February 2005, an alternate central committee member of the CPN (Maoist) identified as Kali Bahadur Malla was arrested in Siliguri in West Bengal. A mobile phone set, cash of Indian Rupees 60,000 and Maoists' documents were recovered from him<sup>48</sup>.

On 22 February 2005, at least seven Maoists including two regional level leaders were taken into custody in Patna, Bihar (India). They included regional level leaders -Rajendra Karki alias Jatin and Durga Prasad Dhungel alias Dipak, Karki's wife Indira, Gajendra Jiaswal of Bara, Arjun Yadav of Mahotattari, Lal Bahadur Lama of Kavrepalanchowk and Rupesh Singh. A mobile phone set, IRS. 67,000, some AK 47 bullets, a satellite phone, two mobile phones, two computers, and 800 kg of Maoist documents and uniforms were recovered from them.<sup>49</sup>

On 26 February 2005, the SSB personnel intercepted a jeep bringing four persons into India, one of whom had a bullet injury. Interrogations reportedly revealed that he was allegedly a company commander of the armed wing of the Communist Party of Nepal (Marxist) and he sustained injury while carrying out operations against RNA and security forces.<sup>50</sup>

On the night of 28 February 200, two Maoists identified as Bhaubi Lal alias Roshan of Surkhet district and Kishan Bahadur Rukai of Julmla district in Nepal were arrested by the SSB near Indo-Nepal border out-post at Laukahi in Bahraich, Uttar Pradesh. The arrested Maoists were trying to flee Nepal. One AK-47, two SLRs and one .303 rifle along with two magazines and 44 rounds of ammunitions have been reportedly recovered from them.<sup>51</sup>

Indian security forces reportedly handed over Prem Bahadur Khatri of Fulbara in Dang, one of the two Maoists arrested by Indian Police from Sisiya area to Nepalese authorities. According to India's Baharaich district police, Khatri was arrested along with another Maoist cadre. They possessed automatic weapons.<sup>52</sup>

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47. India to seal Nepal border with more forces, The Hindustan Times, 25 February 2005

48. Maoist leader arrested in India, The Nepal News, 24 February 2005

49. 7 Maoists held in India, The Nepal News, 24 February 2005

50. 2 Maoists nabbed at border, The Asian Age, 2 March 2005

51. Ibid

52. India hands over Maoist to Nepal, The Kathmandu Post, 27 February 2005