

## **Transparency and Accountability Against Corruption in Nepal** - Rabindra Khanal(Editor)

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## Foreword

Democracy and good governance are two sides of the same coin. To a large extent, scholars use these terms interchangeably without underlying their basic conditions. Legitimacy, accountability, transparency and inclusiveness are the cornerstones of good governance. In Nepal, the collapse of authoritarian Panchayat regime in 1990 opened the door for democracy but it is beset with severe economic, social and political problems. The most damaging one is corruption, which is deep and pervasive that literally no segment of society is free from its grip. As a result, the country's politics is suffering from democratic deficits. Of course, few efforts have been made to combat corruption, uproot undemocratic practices, establish rule of law, and genuine democracy. Still there are open questions related to the desire for political development. A variety of political, administrative, economic, social, psychological and cultural factors are responsible for aggravating corruption and irregularities in society.

There has been a massive increase in political corruption in recent years largely due to sharp increase in election expenditure and a growing nexus among politicians, bureaucrats and businessmen. They have drained away social capital and earned resentment from the people. Evidently, the political and administrative elites have lost people's trust. The reason corruption is growing is not because of a lack of controlling mechanism, but it is because of the basic flaws in the system. It is also due to an unwillingness among the concerned actors to pursue the right course of action.

Corruption does not increase as a society becomes more democratic. But corruption in high places is more visible and less tolerated than before as the country heads toward fuller democratization. Watchdog agencies such as mass media, civil society, judiciary and so on can point out the irregularities of public officials and their collusive relationships with the powerful interests in the society. Corruptive behavior cannot be widely publicized in authoritarian societies but it is otherwise in the modern democratic system. In order to get rid of corruption and spread the fruits of economic growth and development in Nepal, it needs discipline rather than mere political idealism.

This volume attempts to outline the current situation of graft and corruption, transparency and accountability in the country and probes their various dimensions. I, on behalf of Political Science Association of Nepal (POLSAN), would like to express my gratitude to a number of individuals without whose help the publication of this volume may not have been possible. We have received cooperation from many intellectuals and to list them all would be an impossible task. . However, first of all I would like to thank Transparency International Nepal for its financial support to us to pursue our academic activities.. Similarly, I would like to offer my deepest thanks to my colleague Rabindra Khanal for his readiness to edit this volume. In the same way, my thanks go to my POLSAN colleagues for their active role in making a series of seminars a grand success.

Prof Dr Ganga Bahadur Thapa  
President, POLSAN

## Foreword

Transparency International (TI), established in 1993, is a non-governmental organization dedicated to increasing government accountability and curbing both international and national corruption. It is the only global non-profit and politically non-partisan movement with an exclusive focus on corruption. TI's movement is motivated by humanitarian, ethical, and economic concerns as corruption undermines and distorts development, a society's integrity, and the operations of states and markets, hence depriving ordinary people of the benefit that should flow from them.

Transparency International Nepal (TIN), the National Chapter of TI in Nepal is a civil society movement dedicated to increasing public accountability and curbing corruption in all walks of life. It was established in 1996 with aims to create a visible and measurable impact on corruption in Nepal by reducing the incidence of corruption and restoring fairness, transparency, and the rule of law in government transactions. Corruption in Nepal is pervasive and endemic. It is generally recognized by most concerned parties that corruption must be contained and for which a well designed and participatory anti-corruption measures must be implemented.

Though the politicians, social workers, officials and professionals have expressed their resentment against corrupt practices in public life, few concrete works have been initiated till date. The tide of public opinion has yet to be translated into real anti-corruption measures partly because those in the field are easily overwhelmed by the sheer size and extent of the problem.

During the last two years (1998-2000) five programs were implemented by TIN with the support of Swiss Agency for Development and Cooperation (SDC). These programs were aimed at raising awareness, disseminating information, hearing public grievances and networking with other organization with the ultimate desire of creating a transparent and accountable state and civil society. In a poor country like Nepal, the anti-corruption programs initiated by TIN has a special relevance for its national program of poverty alleviation.

The operational methodology of Transparency International is coalition building. This approach is grounded on the reality that no one organization in any sector, public, private or non-governmental can contest the evil of corruption, or any social ill for that matter, on its own. It needs like-minded organizations, groups and individuals as allies.

This volume is an outcome of such approach in the hope that POLSAN which helped us implement one of our important goals is also our ally now in the fight for transparency and accountability in government.

To begin with, an agreement was signed with the Political Science Association of Nepal (POLSAN), under which five regional seminars were organized to highlight the issues of transparency and accountability in Kathmandu, Birgunj, Palpa, Janakpur and Dhangadi. In order to make the seminar more participatory, politicians, activists, members of local bodies, lawyers, teachers, businessmen, social workers, intellectuals and the media persons were invited. All the five seminars unanimously endorsed the TIN concern for greater transparency and accountability with clear emphasis on the role and responsibility of the political parties, especially the ones holding power, in banishing corruption from the body-politic.

TIN thanks POLSAN for lending its support as coalition partners in its drive to raise transparency and accountability against corruption. TIN would also like to thank all the participants and people involved for their support to the movement. We also thank SDC for the financial support made available to execute this task.

Transparency International Nepal  
Kathmandu

## Preface

Transparency and accountability are two important features of modern democracy. Without these democracy cannot give good governance, in the absence of which democracy itself suffers from a legitimacy crisis. Although a democracy makes sure that the state makes provisions to provide the right to information to its citizens, mere putting down the commitment on paper is not enough. People should be able to demand transparency and accountability and responded to. As long as these provisions are not activated and people are not aware about them, democracy has no meaning at all.

Nepal has been practicing multiparty democracy for the past ten years. A lot of water has flown under the bridge but the situation in the country has not changed to a desirable extent. The social, economic and political conditions are worsening day by day. Corruption is rampant in every field. The gap between the rich and the poor is widening. Poverty alleviation has become a popular political slogan but no amount of sloganeering has been able to uplift the people from their plight and the country remains one of the poorest in the world. Good governance is still a far cry. There is ample evidence to suggest that public sector lack accountability and its ways of functioning shrouded in mystery. Politics of patronage, exclusion and violence have been allowed to foster at the expense of people's expectations for a better life. This is giving rise to mass frustration. Instead of fighting corruption, people have started to accept it as a way of life; such has been the political culture being perpetrated. Democracy commands only lip service of political leaders, not efforts towards institution building and consolidation. As a result, grave danger looms on the horizon ready to usurp the hard earned democracy itself. The articles in this publication dig into the situation and find that it is sheer neglect by public servants of the people, and a severe lack of transparency and accountability, that have posed a serious threat to democracy.

At the request of TI-Nepal and in consonance with its methodology of coalition building against corruption, Political Science Association of Nepal (POLSAN) had organized a series of seminars on Transparency and Accountability Against Corruption from June 1999 to November 1999. The seminars were held in Kathmandu, Palpa, Janakpur, Birgunj and Dhangadi. In each of these seminars, there were more than one hundred participants, which included the representatives of local government institutions, representatives of different political parties, social workers, legal practitioners, intellectuals, teachers, journalists and businessmen. The working papers of all the seminars have been included in this publication. I hope these papers will help to understand the problem of transparency and accountability in Nepal and help enlist allies for TI-Nepal in support of its objectives.

In the end, my thanks also go to my colleagues in POLSAN, the coordinators of the seminars, participants and above all the papers writers without whose cooperation these seminars would not have been successful. I also wish to extend my sincere thanks to Hari Uprety for his profound help in bringing this publication to this standard and Ganga Bahadur Thapa, President of POLSAN, for giving me the opportunity to edit this volume.

Rabindra Khanal

## Strategies in Combating Corruption - *Rabindra Khanal*

Illicit behavior of public officials in many developing countries continues to hamper their development efforts causing maldevelopment and stagnation. Pervasive graft has polluted the government machinery in these countries. It has become virtually impossible to remain isolated from this phenomenon. What is corruption? How does it take place? How can it be corrected? And, why is it feared so much especially in the third world countries? These questions deserve careful consideration before thinking about strategies to combat corruption.

Corruption is being dishonest to one's own duty and to others in order to take personal benefits from the weaknesses of those who are dependent on the actions of the person/s in authority. Public duty involves morality, good behaviour and ethics of an individual. "Corruption means the perversion or abandonment of a standard. It refers to the abandonment of expected standards of behavior by those in authority for the sake of unsanctioned personal advantage."<sup>1</sup> "Corruption means deviation of those in public office from standards of behavior for undue personal gains. Corrupt officials work at the expense of the people whose interests they are supposed to serve and safeguard, thus eroding the social capital on which governance and developments are devised."<sup>2</sup> These personal gains may be in the form of money, materials, privilege, misuse of official information and some kind of special favor which are all regarded as corruption in a wider sense.

Corruption takes deeper root when the condition is favorable to it. More economic interactions and development initiatives without suitable social control mechanisms and a weak civic culture increases the opportunities and temptations for corruption. Corruption occurs at the intersection of public and private sectors, when public office is abused by an official accepting, soliciting, or expecting a bribe. As a single transaction, corruption takes place where there is a meeting of opportunity and inclination. The extent of corruption depends on the amount of monopoly power and discretionary power that an official exercises.<sup>3</sup> A weak nation with weak infrastructure and soft legal mechanism also can be regarded as a fertile ground for it. Older nations with institutionalized democratic organs can easily cope with corruption than the new nations where democratic institutions have yet to be properly institutionalized. New democracies established mainly after the advent of the 'third wave' of democracy have not yet been able to prepare themselves to fight against this evil plaguing their bodypolitik. In the case of Nepal, corruption is not totally a new phenomenon but its degree seems to be increased since the restoration of multiparty democracy in the early 1990s. The problem of corruption that the country is facing today is not certainly the outcome of the democratic system. It is related with the legacy of the past as well as the given social structure, cultural values and the economic opportunities.

Corruption certainly needs to be corrected as soon as possible or, at the least, it should be controlled to the possible extent. There is no definite answer to how corruption can be controlled and how nations can get rid of it. A constant effort with different methods and experiments is required. People should be made aware of the cost of corruption and the effect it can have on their socioeconomic and political life. It is a fact that not only is corruption a problem of developing nations but it is also quite true that these nations cannot afford to tolerate it any longer. Most of the developing nations achieved their independence after World War II with high aspiration and hope but the years after independence seemed frustrating mainly due to their inability to overcome social diseases like corruption. The same is the case with traditionally independent but underdeveloped countries like Nepal. Most of their development efforts and foreign aid that is supposed to be invested in public welfare have gone into private pockets. As a result, the countries of the Third World are accumulating more and more debts on their heads. Besides, these countries are also not being able to protect their own cultural tradition, national morale and ethics from the external influence that came along with the foreign aid and have given rise to corruption. The developing countries thus, are more concerned about and affected by corruption than the developed countries.

### **Anticorruption movement**

As mentioned earlier, the problems of corruption and bribery are widespread not only in the developing countries. It was rampant in Europe and America even until the beginning of this century. But as they achieved socioeconomic progress it declined considerably. The two World Wars and the conflicting international politics thereafter became quite favorable for the return of corruption even in those countries.

In the name of forestalling communism and European reconstruction, the amount of money that was circulated by the Western countries plunged many countries into corruption. The American policy of aligning itself with the authoritarian regimes of the Third World for the sake of increasing its sphere of influence further encouraged corruption and illicit behavior of the Third World leaders. America's relation with the authoritarian rulers of Iran and Pakistan at that time can be taken as some of the examples in this regard. Beyond doubt, the policy adopted by the Western countries had its effect even in their own domestic environment.

During the 1970s and the 80s, many types of corruption scandals were revealed in the United States, Britain, West Germany and Japan. The Watergate scandal involved many top-ranking officials of the United States including President Nixon himself. President Reagan was accused of supplying arms to the Contra rebellions illegally. In Britain, members of parliament were charged of being involved in the Paulson scandal in 1972. In the decade of the 1980s major political parties of Germany and Japan were overthrown due to their involvement in corruption cases. Recently, corruption has become widespread even in international business transactions. As a result, it has re-emerged as one of the most contentious and damaging issues in a number of countries.

After the fall of the Soviet Union, the traditional power structure of the world got changed and the ideological warfare has come to an end. Developed countries of the West now are more interested in making profits through international trade and business rather than providing economic assistance to the poor countries. They have started to believe in competition in order to bring about efficiency for the promotion of trade and business. The advanced information technology has brought the countries of the world closer and made them more interdependent for their survival as well as their development. In this situation the developed countries have realized the importance of clean interaction with one another on the basis of rule of law. They have put forward concepts like good governance and transparency in order to conduct their business and to maximize profits on the basis of competition. They have also realized the hindrances in development efforts of different countries brought about by corruption in its various forms. As a result, they have taken several precautions in curbing corruption and bribery that have engulfed the socioeconomic and political life of the people all over the world. Misuse of power, authority and public property have been taken seriously by almost everyone in the world today. Two of the world conventions deserve special mention here because of their effective plans in curbing corruption and because some of the provisions of these plans can be of use even in our context.

Realizing corruption as one of the major hindrances in the global economic development, 29 members of the Organization for Economic Cooperation and Development (OECD) signed a treaty outlawing the payment of bribes to foreign government officials. The treaty came into effect in December 1998.<sup>4</sup> According to the treaty, the parties involved in bribing foreign public officials, including officials in all branches of government, will be criminalized and be the subject of severe penalties. The penalties would be to confiscate the bribe or to impose an equivalent fine so as to provide a powerful disincentive to bribery. The organization has already started taking actions in several countries including Denmark, Norway and Portugal. The Lima declaration has been another important milestone in curbing corruption. Over 1,000 participants from 93 countries took part in this convention known as the 8th International Conference Against Corruption. The convention pointed out that corruption:

- o erodes the moral fabric of every society.
- o violates the social and economic rights of the poor and the vulnerable.
- o undermines democracy.
- o retards development, and
- o denies societies, and particularly the poor, the benefits of free and open competition.

To fight against corruption the convention further stated:

- o strengthening ethical values in all societies,
- o forming coalition between governments, civil society and private sectors,
- o mobilizing people's participation,
- o emphasizing greater privatization and deregulation, and finally
- o changing the traditional role of the state in financial and development matters.

Moreover, the convention has also charted the actions to be taken at the international, regional and national levels. In its suggestion the convention has mostly emphasized on the strengthening of civil society, operating government in a transparent and accountable manner, depoliticizing the judicial system, strengthening the financial management system, recognizing the role of independent media, establishing a code of conduct for the officials and so on.<sup>5</sup> In this sense, the Lima Declaration is certainly a positive efforts toward curbing corruption and in a country like ours could bring great benefit.

### **Corruption in the past**

Corruption is not a new phenomenon in Nepal. It has existed as the political way of life throughout history. Of course, some of the corruption that we take as antisocial today were not regarded as so in the past. Bribes given to government officials were regarded as normal, as a gift, until the unification of Nepal by Prithivi Narayan Shah. Giving gifts or Kosheli was widespread among the higher class people before unification too. During the early period of unification, Gorkhali soldiers and officials were found to be involved in corruption but Prithivi Narayan Shah was quick enough to recognize it and declared, "Those who give or take bribe are the enemy of the kingdom (ghus dinya ra ghus khanya dubai mulukka satru hun)". He, for the first time in the history of Nepal, proposed certain penalties to be applied in the military and civil services if anyone was found to have been engaged in bribery. This is also mentioned in his Ditya Upadesh. Rana Bahadur Shah's instructions of 1806 recommended fining of government officials if they took bribes from the people. There were different punishments for government and semi-government officials.<sup>6</sup> But, the war with the British and a constant court intrigue overshadowed the initiative in curbing corruption.

The one hundred and four years of Rana rule is remembered as one of the most regressive periods in Nepali history. Struggle for power among the ruling class and several conspiracies to overthrow one another is what characterizes this period. The rulers always remained above the law made by themselves and so their deeds were never questioned by the ordinary people whether they were justified or not. Feudal practices like chakari, dam rakhne and salami was widely accepted by the commoners. These people were equally exploited by local serfs like jimwal, mukhiya, patwari, jamindars or jmidars, etc (tax collecting agents). Obviously, public officials who did not belong to the Rana family rarely indulged themselves in all these irregular activities because if they were found to have been involved in such actions they were severely punished. In some court cases, officials in the districts would take money from both the parties involved and would return the money of the loser after the case was completed.<sup>7</sup> This looked more like a reward from the winning side than bribe and had some moral sense in it. Besides, religious faith of the common people prevented them from taking undue advantage from the people.

After the introduction of democracy in 1950, the country was opened to the outside world. The superpowers, in the process of increasing their sphere of influence around the world found Nepal a very important country in between democratic India and communist China. The United States of America entered the region through its Point Four Program, which was similar to Marshal Plan in Europe. The main purpose of this program was to help resist the spread of communism in this part of the world.<sup>8</sup> Similarly, Indian and Chinese aid programs came with their own political interests and the Soviets were certainly in competition with the Americans. Several other countries like Japan, Germany, Switzerland, etc also poured their money although they did not have the similar intention while coming up with their aid programs.

During the 1950s, there were several factors responsible for the increased misuse of national resources. First of all, development was not the priority of the majority of the people because they were completely ignorant of the very concept of development and did not know what its consequences would be. Secondly, people did not aware that the resources available in the country really belonged to them. This gave monopoly to the ruling elites over the mind and actions of the people. Thirdly, the governments of that period were incapable, weak and incompetent to handle the available national resources as well as to recognize the priority of the people. Thus, the problem of corruption at this time was more due to the inefficiency of the government and ignorance of the general people. This problem was also an emotional tool for the opposition political leaders to deal with the government which is proved by the establishment of an unofficial "anti-corruption committee" headed by K I Singh to "expose the extent of corruption practiced by the government".<sup>9</sup> This was true even with the first elected government that came to power in 1959.

The thirty years of monocratic Panchayat rule needs special mention in terms of the growth of corruption in the country. Right from the beginning, the system faced challenges from the underground political parties

for its survival. The leaders of the Panchayat system including King Mahendra himself became worried about the situation and tried to widen their support base among the people. In the process they even tolerated several types of misconduct and mismanagement within it. State resources started to be diverted to retain the loyalty of individual Panchayat members, thereby contributing to the growing problem of corruption.<sup>10</sup> The leaders at that time gave an impression that individuals could do anything except go against the regime. This attitude of the political leaders helped in creating a unique political culture encouraging individuals to be self-centered and narrow minded notwithstanding their support for national causes and political righteousness. They lost their dignity and pride and thereby engaged in various sociopolitical evils and entered into the system where they often got protection from the government. The Prevention of Corruption Act promulgated in 1956 and its modified version in 1960 could do very little to deal with corruption in high places except punishing low ranking officials who lacked political patronage. The Abuse of Authority Investigation and Prevention Commission, created by the Panchayati constitution although prosecuted some ministers and high ranking officials for the first time in the country, they were soon immunized on the basis of their loyalty to the system. In addition, people with grand corruption records were even appointed ambassadors to foreign countries. Thus, corruption became the root of the Panchayati culture all throughout and became one of the most important causes of the fall of the system.

### **Corruption as a threat to democracy**

Corruption was one of the main issues of the 1990 people's movement. People thronged into the streets with a hope of change in their socioeconomic and political life. They demanded equality, social justice and human rights and a greater participation in governance. Theoretically, these demands were incorporated in the present constitution but their hope to end the corruption is still unfulfilled since it has affected almost all the aspects of society. It is rampant in politics, bureaucracy, police, military and even in the judiciary. The Non-Governmental Organizations (NGOs), professional organizations and civil society institutions, who are supposed to serve the interests of the people, are also frequently involved in corruption in one way or the other. Hardly there any organization which professes transparency, accountability and responsibility, seems to be interested in consolidating democracy.

Similarly, politics is so corruption-infested that sometimes one can feel ashamed even to talk about it. The people's representatives in the parliament are supposed to guide the nation but the behavior they have shown in the parliament so far presents a very gloomy picture. Parliamentarians as well as the ministers have virtually cheated the people in many instances whatsoever the promises they made during the election campaigns. The bureaucracy is no better. Newspaper columns are full of corruption stories everyday. Public work does not move ahead without bribing officials.

### **Provisions in fighting corruption**

There are enough legal provisions in fighting corruption in Nepal. For example, Prevention of Corruption Act 2017 is still in existence. Furthermore, the Constitution of the Kingdom of Nepal 1990 has provided several regulating bodies like the Auditor General's (AG) office, Public Service Commission and Election Commission. If these constitutional bodies work sincerely and honestly, many of the problems would be solved without much difficulty. There are the Special Police Department (SPD), Commission for the Investigation of Abuse of Authority (CIAA), the Auditor General's office, Public Accounts Committee (PAC) of the Parliament and even the Chief District Officers (CDO) of the districts. Despite these agencies the corruption is increasing enormously.

The SPD is one agency, which has been empowered by the Prevention of Corruption Act 2017. It mainly concentrates its work in government organizations. Moreover, functioning under the Home Ministry, its authority is limited and is easily manipulated by the politicians as well as high-ranking officials. As a result, it has not been able to deal with many of corruption scandals except penalize the junior officers. The SPD often claims that it is handicapped due to inadequate budget, manpower and political intervention.

The AG acts as a watchdog over the financial activities of the government and semi-government organizations. It has been empowered by the constitution to audit the accounts of all these organizations. It also issues necessary directives to improve the financial discipline and ultimately submits its annual report to the king. The report finally goes to the parliament for discussion where the PAC conducts the necessary investigation and offers its suggestions to the government. If the parliament has the commitment and

political will to act upon the AG's report it cannot only curb corruption in the high government offices but also can make public officials accountable to the people.

Article 98 (1) of the Constitution empowers the CIAA with this statement: The Commission for the Investigation of Abuse of Authority may, in accordance with law, conduct or cause to conduct inquiries into, and investigation of, improper conduct or corruption by a person holding any public office. The Commission, according to the spirit of the constitution, was expected to play the role of an Ombudsman. But the Prevention of Abuse of Authority Act.2048 narrowed down its jurisdiction preventing it to take actions against the prime minister as well as ministers without his consent. But it is they who are regarded as the root of high-level corruption in the country. The Supreme Court, after a writ petition, did nullify this particular provision but still excluded judges, the army and other constitutional bodies from the jurisdiction of the Commission.<sup>11</sup> The CIAA is still handicapped since its role in taking actions against the culprits is only subsidiary to the court proceedings. The final action is taken by the court.

There are also other reasons for it being handicapped. The appointment procedure of the commissioners itself is faulty because the Constitutional Council formed to appoint them is largely dominated by the prime minister, except for one member from the opposition.<sup>12</sup> This hinders the commission from being impartial. Commissioners who look forward to be reappointed will find it impossible to be so if they do not work according to the wish of the government. Besides, there is still confusion about who should file the case against an accused, the Commission or the Office of the Attorney General? Some of the cases recently filed by the Commission were refused by the court on this basis.

Some of the cases initiated by the Commission in the past like the Royal Nepal Airlines scam severely damaged the public's confidence in it. The Lawati case was dismissed by the court for lack of evidence. This case was initiated when Surya Bahadur Thapa was the Prime Minister and was dismissed at the time of Girija Prasad Koirala. This shows that even politics is capable of scuttling cases of corruption and that the CIAA is monopolized by the leaders to fulfill their political interest which itself is an act of corruption. Former Chief of the Commission Ram Prasad Manandhar once noted, "We cannot intervene in the court's decision". He agreed that the consultation and understanding was necessary between government and the CIAA in making the implementing agencies effective. He also suggested to the government to modify laws that facilitated corruption instead of preventing it.<sup>13</sup> Similarly, another former Chief of the Commission Radha Raman Upadhaya had agreed that there were weaknesses of the Commission earlier and had demanded for the amendment of the law related to it.<sup>14</sup> In spite of this, the CIAA will be no better than a toothless tiger if it is not empowered with adequate laws to combat corruption, as suggested by Hridayesh Tripathi, the former chairman of the PAC.

PAC provided by Article 64 of the Constitution can play a very important role in making the government accountable to the parliament specially in the financial administration. It conducts investigations into cases of corruption and misuse of public fund. This committee does not have direct control over any public institutions but has the authority to summon and question the public officials in matter of financial indiscipline and dubious official decisions. The PAC even discusses on the reports submitted by the Auditor General and the CIAA and suggests to the government to take necessary actions. Unlike the CIAA, the PAC has played a more constructive role in the past in order to enhance financial discipline in the government. The record shows that the PAC even summoned the then Prime Minister, Girija Prasad Koirala, in relation to his alleged involvement in the Dhamija scandal in 1994. The then Deputy Prime Minister, Madhav Nepal and Minister C P Mainali were also called in 1995 in the process of investigating their possible involvement in a sugar scandal. Beside this, the PAC made the government take actions in several other cases of misappropriation of public funds called Beruju in different ministries and departments.

The work carried out by the PAC seemed very encouraging for some time and gave a ray of hope to the people that it would start a crusade against corruption. The presence of media men in its deliberation promoted the public's right to information. Public officials became alert for fear of being called in for investigation by the PAC. But the committee lost its continuity as the political coalition changed. However, the PAC is still able to do a lot in curbing corruption in the country because it enjoys more freedom than most of the other organizations of similar nature.

### **Strategies in combating corruption**

Corruption is a multidimensional complexity of every society. Its roots are grounded in a country's social and cultural history, political and economic development, bureaucratic tradition and policies. Combating corruption needs critical analysis of every aspect of the society and involves actions on many fronts. Corruption in any particular field does not come alone. The country's educational system, social values, religion, belief, national character, morals etc are all responsible for increasing corruption.

In Nepal, corruption is too pervasive and too complex for any legal procedure to control it. Corruption here does not denote bribes only. It involves the exchange of favors by different elements of the society at the public's expense- at the cost of public interest, public money and public trust. Not a single sector is unaffected by this cancerous disease. Politics, bureaucracy, education, health, social service, courts, development agencies all have played a part in corruption, one way or the other. Even the civil society, which is supposed to safeguard the public interest, has become a part of it. Thus, it is high time that we think of the cost of corruption and adopt every possible strategy to combat it from our society.

#### ***a. Awareness about the cost of corruption***

Everyone knows that corruption is rampant but very few care about its damaging effects. It is hampering the development process of the country and depriving the people from getting services that are due to them. The money that is supposed to be spent on public welfare, roads, transport, health, education and so on gradually slipping into private coffers which is not only creating class divisions but also depriving the poor from their basic needs. The number of palatial houses being erected in Kathmandu and other big cities, especially by the politicians and bureaucrats, are not the products of their genuine income. So, where do they get money to erect their palaces? How did they become rich having all the luxuries of the modern world overnight? This, certainly, should be a matter of great concern to every citizen if corruption is to be eradicated.

Similarly, anticorruption campaigns cannot succeed without involving the people and making them aware that they are the real master of national resources and politicians and governmental officials are public servants. But the poor and ignorant people have no idea about their own position in the society. They are the victims of a feudal culture coming down from generation to generation and are unable to raise their voice against any atrocities of the public officials. If they are made aware of their position and the role of the public officials, they may, at least, be able to ask questions when they encounter a situation of bribery and corruption.

Clearly, the question is how to make the public aware of the grievous impacts of corruption? How can citizen groups and civil society take the initiative in fighting corruption? More than 90 percent of the people live in the villages. And most of them are poor and ignorant. They are not corrupt, they are the victims of corruption because they are the ones who are being cheated by the government officials, politicians and development planners by taking advantage of their ignorance. If they are made aware of all the evils of the society then officials cannot manipulate and intimidate them. The politicians are ideally suited for the role, and can do much better than any other public official, which will also be beneficial for them in the long run. Only a strong political commitment can make the people aware about the cost of corruption and can involve them in combating corruption in Nepal.

#### ***b. Attitude and perception***

Individual behavior plays a very important role in the formation of the overall perception of the society. Man is generally selfish, self-centered and often desires to obtain additional wealth and power with as little sacrifice as possible. At the same time, the social environment helps in shaping and conditioning his attitude. The relationship between man and the society should be based on certain values so that they can check and protect one another from deterioration. The ill behavior of a particular man may destroy his own self and the society as a whole for which the society should be able to handle his activities in favor of the larger public interest. Corruption is not an acceptable behavior of an individual. It is harmful to himself and also to the society. So, it is the duty of the society to change his attitudes and behavior and even punish him if necessary. A culture of impunity is on the rise in Nepal affecting the whole political culture of civility percolating down through tradition and helped by the notion of dharma.

In today's Nepal, the individual ill behavior of a man is not checked by the society. The growth of

consumerism has encouraged it to measure every human action on the basis of the wealth he can accumulate, no matter in what way. Money earned by any means provides him/her the prestige and a higher social status. It is not regarded as an economic and political offense as long as it is not exposed. It is the weakness of the person if he cannot hide it from the public. At the same time, the ordinary citizens maintain special relations with public officials in order to receive favors from them, evade the government taxes and so on. The tax officials themselves teach their clients about how to pay the minimum amount of tax, the two sharing the benefits coming out of it. However, this kind of attitude on the part of public officials as well as the public should be changed if corruption is to be ended. People should stop bribing the public officials and be prepared to expose the act if any public official demands for it.

### ***c. Democracy, good governance and the rule of law***

One of the basic conditions to combat corruption is to maximize the people's participation. As long as people do not involve in governance, they would not know what is going on in the society. Democracy alone can guarantee people's participation and if it is well groomed, it will lead to good governance and the rule of law. Good governance demands the accountability, legitimacy and transparency of those holding power and position. If these three elements are practiced, then there is less possibility for any individual even to think about corruption. On the contrary, poor governance may result from factors such as incompetence, ignorance, lack of efficient institutions, the pursuit ideological deviations at the cost of public interest through misguided economic models and so on. Bad governance is often linked with corruption and rent-seeking.

In the context of Nepal, the demand for good governance is catching momentum. But political commitment, public awareness and adequate structural changes in political and administrative organization yet to evolve. Externally, several donor agencies have helped in strengthening democracy and human rights. They are even monitoring the human rights situation in the country. In the same way, they should evaluate and monitor good governance before providing foreign aid to Nepal. This will have a very positive effect in controlling corruption.

### ***d. Administrative reform***

Organizational change in the civil service may be helpful in combating corruption. Most government offices suffer from overstaffing, inefficiency, irresponsibility and nepotism and favoritism. There is no system of evaluation of work by the immediate supervisors. And even if there is one, it does not function on a professional basis. Reforms should be made in the administration giving clear responsibility to the heads of different departments. In case of any wrongs committed in the department, s/he should be responsible and punished according to the law so that he will be careful and alert in his work. Adequate training should be given to the officials in order to make their work efficient and prompt. The method of supervision should be strengthened. Good behavior and efficiency should be rewarded from time to time and ethical guidelines and rule of conduct should be introduced so that the civil servants are encouraged towards better performance.

Elimination of discretionary power in the decisionmaking will reduce the monopoly of the bureaucrats which can be regulated by official handbooks. Discretionary powers given to public officials over important decisions have played a major role in the growth of grand corruption and rent seeking behavior. Thus, there should be no such power like discretionary power left to any public figure or official.

### ***e. Strong civil society***

The civil society can be one of the most effective instruments to combat corruption. The major function of the civil society is to make people aware of their rights and duties, create opportunities for them to participate in the governance process and guide and control the state from going against the people's will. Civil society organizations like trade unions, NGOs, professional organizations, human rights organizations and ordinary citizen groups can launch anticorruption campaigns against corrupt politicians, public officials and social activists. Civil society institutions with their present infrastructure and the resources will be able to help combating corruption to a great extent but they need to discard their growing bi-partisan nature first. The consumer groups at the ward level in each Village Development Committee (VDC) and Municipality should be activated in order to check financial mismanagement in the development projects at the grassroots level. At the same time, NGOs which are accepted by the Local Government Act can cooperate

with the citizen groups in fighting corruption at their level.

#### ***f. Independent and effective mass media***

The role of the media in exposing corruption is very important because it can arm the people with the necessary information regarding the socioeconomic, political and development problems of the country. The media keep an eye on the activities of the politicians, bureaucrats, professionals and other public sector officials and report them to the people. An independent media sector can perform its role of an effective public watchdog, especially in relation to the conduct of public officials and politicians. Just as the legislature should keep the executive under day-to-day scrutiny, the media should diligently monitor both the legislature and the executive against corruption.<sup>16</sup> Politicians and public officials, for fear of being exposed and humiliated, would think twice before involving themselves in the abuse of authority and corruption.

Nepali newspapers are playing a significant role in bringing out corruption scandals and misuse of authority by the politicians and public officials to the fore. They are also exposing the government's weaknesses in dealing with problems like poverty, inequality, injustice and so on. People in Kathmandu would never have known about the death caused by hunger and disease in Humla in the absence of newspapers. In other words, the newspapers are upholding the constitutional provision on people's right to know which needs to be guaranteed by a separate law and which has yet to materialize.

#### ***g. Strengthening anti-corruption agencies***

The development of preventive agencies is not sufficient in combating corruption, specially in a country like ours where people work more efficiently under the fear of law. The fear psychosis needs to be generated in order to prevent them from taking the wrong path in dealing with the socioeconomic and political matters. Nepal has many anticorruption agencies but their works are either redundant or they themselves indulge in the corruption and ineffective. As mentioned earlier, the agencies that deal with the financial control and misuse of power of authority are the Police force, CDO, SPD, CIAA, PAC and even the AG's office. Owing to the lack of political will, the party-business-bureaucracy nexus and lack of cooperation among the anticorruption agencies can be attributed to the growing corruption and criminalization of the governance process.

The agencies that work under the home ministry are in a state of confusion because the same work is being carried out by all of them often without any coordination. They are not out of corruption themselves. As a result, their credibility in no way has a positive impact. The existence of the CIAA as the constitutional body provides hope. It needs to exert itself as an independent body and avoid situations that could subjugate them to the influence of the political and patrimonial culture and the Executive branch of the government. For the effectiveness of the CIAA:

- \* it should have its own budget provided through a regular legal arrangement which should not be based on the discretionary authority of the Executive.

- \* it should have the power to recruit its own professional staff and the administrative personnel, at par with the Public Service Commission and the Law Service commission. This power will help the Commission to be independent of the Executive.

- \* the appointment procedure of the Chief Commissioner and other Commissioners should be changed because the Constitutional Council which appoints them is often dominated by the majority prime minister and instead of seeking national consensus approach the council tends to incline towards majoritarian hegemony.

- \* the Commissioners should be appointed from among the people who have had clean image all throughout their career. They need to be experts in their field.

- \* they should have adequate remuneration and allowances so that they can concentrate in their work with no financial worries.

\* their term of office can be lengthened but should have no provision for reappointment.

\* they should be made more responsible to the public and Parliament. They should have a regular information bulletin in order to disseminate the information to the people.

\* the present state of confusion should end as to who is responsible in filing cases against the accused in the Supreme Court- the Commission or the Attorney General?

\* the CIAA should establish district level offices replacing the power being used by the CDO in matters of corruption.

Although there is no controversy in strengthening the CIAA to combat corruption it is equally important to see that the Commission itself would not become another center for corruption. The PAC can play an important role in checking its activities and make it more responsible toward the parliament as well as the people. It's role so far has been quite positive in this direction and needs to be strengthened more.

#### ***h. Strengthening the judicial system***

The judiciary is the ultimate hope of the people as their guardian in protecting their rights and duties. Corruption by any organ of the government is the violation of the people's rights because the money involved in the corruption belong to them. The different layers of the court have not been able to preserve this right of the people rather they themselves have reportedly been engaged in corruption. As a result, the people are losing faith in the legal system. Certain measures are required in making the judiciary efficient, impartial, effective and free in combating corruption in the country for which the judges must:

- o have high ethical standard and must have a code of conduct in carrying out their functions.
- o be appointed purely on the basis of their professional skill rather than on the basis of their ideological faith.
- o not be eligible to hold any high public office after their retirement.
- o be dealt by a separate body within the judicial system if they are found to be guilty of misusing their power of justice.
- o not be part of public discourse and deliberation which might influence their attitude in providing justice to the people.

#### ***i. Reforming the political process***

The present political system and its methods of elections have proved to be very expensive to a poor country like Nepal. We saw that the provision of coalition government in the absence of a majority by any single political party gave a lot of scope for the promotion of corruption within the parliament during the last half of the 1990s. In the same way, the expenses that the political parties need to bear in the elections have increased several forms of economic perversion in the society. Unless these situations are tackled, corruption in politics by no means will end. Thus, an amendment in the constitution is necessary to avoid the unhealthy coalition system of government even if elections have to be repeated. The government should be made only by that party which has a clear majority in the parliament, as in the United Kingdom. This will increase the expenditure for the election but will still be less than the amount of money flowing for horse-trading in parliament.

Another important role of politics in raising corruption is seen during the election campaign by party candidates. Political parties raise money by any means for this purpose. Political leaders have openly accepted that they even shared the national revenue with the government to collect money for election. This tendency can be checked if laws related to it put a limit in the expenditure of the party candidates and provide the money for campaign. It is certainly an extra burden on the state but needs to be done if the evils related are to be eradicated. Some have even suggested direct election of the prime minister and exclusion of parliamentarians from the government. The question is whether it is possible. Is executive fiat alone a desirable option which in the long-run might undermine democratic values and the participatory process?

#### **Conclusion**

Corruption is an obstruction not only for the socioeconomic and political development of the country but also equally dangerous for the very existence of the nationstate. The country's rampant corruption must be ended by all means for which both preventive and punitive measures must be adopted. People must be made aware of the cost of corruption, the civil society must take initiatives to expose the corrupt behavior of the politicians, bureaucrats and other public officials. Politicians must commit themselves for its eradication and several reform measures carried out to improve the existing system of governance.

Nepal is no more in isolation from the rest of the world. The process of globalization has influenced every aspect of its function. The free market economy and the process of liberalization has weakened the state apparatus and at the same time pushed it into global competition. If the situation of corruption cannot be handled properly, we may be nowhere in this competition and we are bound to collapse in no time.

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## **Awareness on Transparency and Accountability - *Shrish S. Rana***

The years 1990-91 were watershed years for Nepal. The movement for multiparty democracy had succeeded. The country had a new constitution guaranteeing democratic rights to the Nepalese. It was a census year. It was, moreover, a new plan period for the country. After thirty years of the partyless Panchayat system the polity was being asked to gear itself toward a forward looking, modern system where the people were being asked to choose their government, a government formed on the strength of a constitution framed by the leaders of a movement which had succeeded in reviving the multiparty system, a government formed from a choice of popular parties elected to parliament by the people, of political parties participated in and led by the people.

In more ways than one, therefore, the oft-quoted definition of democracy "...of the people, for the people, by the people" was materializing. The promise of good governance through organized representation of the people in government was very much there. Indeed, one primary requisite of good governance, a government accountable to the people, a government whose *raison d'être* was provided by the people through elections, a government that could be voted out of power by the people, was ingrained in the popular movement and the Constitution. In so many ways, therefore, the popular movement for the restoration of multiparty democracy succeeded on the strength of the democratic argument that the people wanted, indeed, needed, a government accountable to the people.

One must presume by the strength of the success of the movement for the restoration of multiparty democracy in the country that political organizations which had relentlessly struggled for this objective had impressed upon the minds of the people they had so successfully fielded in the struggle the awareness about the need for an accountable system of government, a system that was accountable to the people, a system where the people were allowed to organize with the objective of competing in democratic elections to form governments accountable to them.

That these political organizations could secure the participation of the people for the success of the movement speaks volumes of the strength of popular organizations and the plea for popular government. The awareness that popular government governs best, it must be said, propelled the necessary participation for the success of the popular movement. It is this participatory aspect of democracy that has strong linkages with good governance. Democracy calls for the participation of the people and the people participate best when they identify themselves with the system. What better system to identify with than one where the government is accountable to the people?

The beginning of the nineties was auspicious for the country on account of the people securing for themselves the right to organize politically and compete constitutionally through elections in order to form the government. The process of elections and the formation of political parties to compete in the elections have ingrained in them the concept of accountability- of accountable governance, of a government accountable to the people - good governance also meaning governance by a government accountable to the people.

Volumes have been written on the new wave of democracy. Accompanying these studies are volumes these days on democracy and good governance and the linkage between good governance and accountability. Equally important analyses on democracy and civil societies emanate from studies of this "third wave" of democracy perhaps also because of the behavioral differences in these new democracies. These studies now stress that popular elections alone do not produce accountable governments. There are other requisites for elected governments to fulfil in order to ensure accountability. It is in this nature of things also that the need for transparency in government is prescribed.

It has been the Nepali experience, too, that the notion about democracies producing accountable governments through sheer strength of popular elections has been found to be incomplete. There are other prescriptions for democracies to fulfil in order to yield accountable governments. What is accepted now, moreover, is that good governance emanates from accountability, the suggestion being that there is lack of good governance in democracies where the requisites for accountability are lacking.

For the purposes of this paper no definition of accountability appears more appropriate than one provided by the World Bank in an internally circulated discussion paper entitled "Managing Development: The Governance Dimension" Accountability, at its simplest, it says, "means holding public officials responsible for their

actions. How this happens varies from country to country, depending upon cultural traditions, history, political institutions administrative capacities and the public's access to and use of information." Since good governance and economic development are inter-linked, even the Bank's definition of accountability from the development management point of view must find use here. "At a broad level," the definition continues, "economic objectives of public accountability include congruence between public policy and actual implementation and the efficient use of public resources. This not only requires systems of financial accountability, but also the capacity and willingness to monitor the overall economic performance of the government. At the micro level", the Bank discussion paper goes on to state, "the primary concern is comparable efficiency in investment and in the production and delivery of goods and services in the public sector."

One must confess that this unauthorized reproduction of the Bank's definition contained in a paper for internal circulation was a temptation all its own. One is allowed to presume, firstly, that it is a working definition applied to good governance in World Bank activities and not restricted solely to the field of academics. The definition, moreover is complete in the sense that it stresses the many dimensions of accountability and, at the micro level, insists upon one key utilitarian aspect, namely, efficiency. In other words, the relevance of accountability must also be seen in the background of the need for efficiency. For governments to be efficient, accountability is a must.

We must then redraw our original premise regarding elections and accountability. Elections alone do not yield accountable governments, it can thus safely be said. Accessory systems are required. Elections may put people in or out of office, may provide or withdraw political power. It is clear now though that the threat of being voted out of power through elections alone do not suffice to make public officials responsible for their actions. For democracy to succeed, therefore, the need for accessory systems to make political leaders ultimately responsible to the people. How this is done, as has been said in the above definition, depends on a country's culture, history, political institutions, administrative capacities and the public's access to and use of information.

As is said above, to ensure accountability, the public must have access to information. It is this access and use of information that forms the transparency component of good governance. To prevent incongruity between public policy and implementation, the people must be aware of public policy and its implementation. For this, they must have access to information. Those making public policy and implementing them must therefore make themselves and their actions seen. Systems of transparent financial accountability must be provided for public scrutiny and governments must be willing to monitor their performance and allow the public at large to do so. It is when this is done throughout the mechanism of government that efficiency can be promoted at the micro level, in investments, production and the delivery of goods and services.

Simply put, good governance implies that the people be informed in order for those in government to be accountable to them. For the people to be informed by their political leaders, the people performing on behalf of the political leadership should also inform and be informed. Good governance, therefore, implies that all three be accountable and transparent. It is here that systems of financial accountability become a key component of good governance. This calls for an accounting system to control expenses and manage resources, audit systems to identify expenses and mismanagement and mechanisms for review and follow-up action. Conversely, then, it is logical to conclude that for good governance in democracy the identification of these transactors and their being subject to these instruments of accountability become vital. It is equally logical to conclude that in the absence of authoritative identification of the transactors, accounting, audit and follow-up systems may at best be incomplete. The contention of this paper is that accountability and transparency are lacking as much because the identification of the transactors in governance-those delivering services and goods and those receiving it- is incomplete at best rendering whatever accounting, audit and follow-up systems installed in our democracy incomplete.

The IBRD paper "Managing Development: The Governance Dimension" quoted above also takes up the issue of corruption as an impediment to good governance. It is one among volumes now recognizing the fact that corruption is an impediment to development. This is a fairly recent phenomenon in development studies. One recalls that corruption was a moral issue in the seventies and was at times even taken as a lubricant to development. One recalls for example that one study compared corruption in Iran with that in Nigeria and cited that oil money fueled development in the former and lined pockets in the latter despite the existence of corruption in both countries. As late as 1993 when Transparency International was being

formed, its U.S. Managing Director, Nancy Zucker Boswell was saying, "We couldn't even get people to talk about the issue." Today, as also attested to in the United States Information Agency published November 1998 issue of the "Economic Perspectives" which discusses corruption and development extensively and its linkage with transparency, the matter is a subject of serious development study. This fairly recent recognition in development studies of corruption as an impediment to development and good governance could well have been a by-product of a strongly assertive media sector in the developed countries which exposed the presence and extent of corruption in high places in their own systems in the 1970s. The Lockheed Scandal is one example. Perhaps, also, the end of the Cold War and the absence of the need for competition in the aid sector promoted the need for transparency and donor scrutiny in the flow of development capital largely paid for by taxes in the developed countries. Donor realization of the millions spent in development aid in the developing countries and the generally agreed upon poor development performance of the Third World would also have launched a query into the money spent and spawned the new studies.

Whatever, for the purposes of this paper, let it suffice to state that corruption is now recognized as an impediment to development and good governance. It is recognized that corruption takes place when accountability and transparency are lacking. Since there is so much being said about corruption and the lack of good governance after the restoration of the multiparty system, it can be concluded that this is on account of the lack of accountability and transparency. This is also basically the gist of a theme paper on "Transparency in the Context of Good Governance in Nepal" by Devendra Raj Panday for the Nepal Administrative Staff College that the identification of the recipients and the providers become as crucial a requirement in good governance as it is to ask from them the accountability and transparency being asked from "government. Suffice to say that, as the first finance minister after the people's movement for the restoration of the multiparty system, Pandey's observations on the state of affairs might be true. If Western prescriptions on transparency and accountability perhaps take the existence of such authoritative statistics for granted, Panday should perhaps also be asking, as is also the purpose of this paper, whether his prescription would apply in Nepal where the citizen who is the recipient of the goods and services has yet to be authoritatively recorded in government, where the citizen's assets and liabilities have yet to be properly recorded with government, where the citizen's economic transactions, on this account too, defies accurate authoritative assessment.

If there is, these days, some awareness at the political and even popular level that democratic governance demands accountability and transparency to the point of these very demands being politicized, as in the case of corruption by the political sector currently being blamed for corruption itself, there seems to be little awareness of the fact that this is difficult in the background of the inadequate identification of transactors. In very simple terms, accounting the Nepali population is a must and requiring them to submit their accounts as a compulsion as also the non-Nepali population in Nepal would be primary to a system of accounts and audit in the country that could help in the authoritative identification of unaccounted for transactions. If corruption is defined as the misuse of power for personal gains the identification of its economic fallout is through these audits and accounts in the more developed countries. Take the Internal Revenue Service and its reach in the United States, as also its relationship with the American population, as example. It is the sophistication with which the corrupt defy scientific accounts and audit systems that gives corruption its white-collar status in developed countries. In Nepal, the need and utility of authoritative statistics on the citizen as the primary means to collating fundamental data for accountability and transparency seems to have escaped public notice. It is here where awareness appears most needed in the clamor for accountability and transparency.

When it comes to public or political monies for example, any auditor or accountant of worth would dismiss the gestures of current politicians upon assuming office declaring his or her assets in a show of transparency as incomplete. The Election Commission requirement of declaring election expenses would hardly meet the professional auditor's eye as authentic accounting. The manner with which parliamentary reports of public audit are treated would even raise questions on the rule of law in the country. Good governance and the rule of law dictate that those who are corrupt be punished if found guilty. There are institutions for these too. But the facts speak for themselves- those who misuse power for personal gains must be legally found to have done so to be guilty in the eyes of the law, it is not enough to have appeared to be guilty, it must be so proven. Accountability can only then be established. Where there is no account of the individual, how can the individual's accounts be established for unaccounted for gains to be located? When political parties appear oblivious to the need for political funds publicly as institutions claiming identity

in society and political monies escape public accounting, is accountability and transparency possible? This paper contends that these are valid questions regarding awareness on accountability and transparency not only in the Nepalese context.

Indeed, in the Nepali context the open border and unrestricted and unmonitored flows of goods, services, monies and peoples across borders and their effects on the accounting system in the country as also their relationship to corruption at the political, economic and individual levels would compose a serious matter for study in any effort at awareness on accountability and transparency. An equally pregnant field of study in relation to accountability and transparency would be the effects on accountability imposed by the prevalent political tendency to ask primarily the non-agricultural sector for audits and accounts, limiting the accountable role of the bulk economy, agriculture, or the revenue on land and water.

One is indeed surprised that studies on Nepali democracy ignore that these basics to democracy, the very identification of the citizen included, have yet to be established in the country. Even such publications as "Consolidating Democracy In Nepal", published in 1997 by IDEA in its 'capacity building' series on Nepal's 'soft state' status and the need to go to the basics for the effective establishment of accountability and transparency, are found wanting. Had there been any such awareness in the publication, one would perhaps have found the very valid recommendations for a concerted effort at the distribution of citizenship certificates, the need for a proper head counting in the country, a stress on individual accounts leading to strengthening public accounts. It is here that transparency counts, in order to make the citizen, regardless of his or her public status, accountable.

This paper began with the recollection that the 1990-91 years were significant also because it was a new plan period and a census year. Remarkably, Krishna Prasad Bhattarai once again headed a new government with a new plan period and census year approaching. This scribe particularly was keenly watching how government and the political sector, as also the donor, would be taking up the need for primary data such as that on the individual in the strengthening of accountability and transparency in Nepal. It is with the strength of this data that measures to hold the individual or group or organization wanting recognition as an individual, be it public or private, can be made to be accountable and transparent. This is apparently where awareness must first take place in the country. The scribe's vigilance came to a naught when he had to leave office giving way to the pressure from his partymen to resign.

Again, the paper began with the widely accepted relationship between elections and accountability. It has for quite some time been accepted that elections are not enough. The notion that democratic structures alone do not mean that they function democratically or even provide good governance. It is in this regard that accountability and transparency is called for. These structures must be seen to be functioning democratically. It is when the people are convinced that they have their say in governance that they can identify themselves with the governance process and participate in it. In the absence of a convincing accountability and transparency system in place and nearly ten years of electoral politics, the actual mechanisms of Nepali elections deserve a thorough study for the very purpose of accountability and transparency. It is certainly not enough that these elections be endorsed as fair by monitoring bodies with expatriate participation from the point of view of accountability and transparency. One eye-opener that escapes any mention but confounds logic is the radical reduction of the voters' list in areas where identity cards were provided in the last election.

Having said these, one must conclude with yet another compulsion for accountability and transparency. The current clamor suggesting that people in public service or those seeking it are doing so with the promise of public money in proximity for personal aggrandizement may not be altogether false. For it to be proven false itself, accountability and transparency must be there. The suggestion that Nepali public personnel are more corrupt emanates from the absence of accountability and transparency. It is these safeguards that prevent public personalities and servants from the temptations of misuse of public office in other parts of the world. It is another matter that occasional reports of misuse do emanate from countries with highly sophisticated systems of accountability and transparency. It is such systems for example that can trace out the possibility of American President Clinton's election funds finding Chinese contributions and it is such systems that can raise public awareness of its consequences. Such systems too, it must be stressed, cannot ignore the requirements of the basics. It is awareness of this reality that must be insisted upon.

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## **Chaos and Complexity of Corruption - A Theoretical Treatment - Hari Uprety**

Corruption means deviation of public officials from the expected standards of behavior for private gains. The term has more to do with the context of development rather than being purely an ethical question in poor countries like Nepal. The need of these countries is to plug all leakage so that all the available resources are put to efficient use. But corruption does not allow this. Corruption not only diverts resources, but also diverts the development priorities by allowing corrupt officials to default on the plan. This means that in addition to inefficiency through leakage, the misuse of public office or authority, the diversion from the set targets makes development even more elusive than before.

Bribery or abuse of authority does not take place for legitimate reasons. Such under-the-table dealings are usually against existing rules and norms. In other words, in poor countries, where meeting targets is so important, corruption provides a way out to the concerned authority to forget that there is a prescribed norm at all for it to follow. As a result, development targets are unmet and governance institutions become weak. Rather than alleviating the sufferings of the people, such a situation leads to the exclusion of more and more needy people out of the economic and political mainstream by the governance process. They are left to fend for themselves against the rising insecurity in their economic, political and social life. When the most vulnerable are pushed into a security situation, it justifies violence- if only for their own security. Thus, any semblance of law and order disintegrates.

Since the root cause of the situation in poor countries is the inadequacy of resources, and that even the available resources are being left up for grabs, there is no immediate solution to the problem. This vicious cycle of violence and instability remains, until the majority of the people are ensured that good governance has been achieved. Good governance, which essentially means that there is a will on the part of those at the helm of political, economic and social affairs to do their utmost for the people within those systems, has the power to numb any tendency towards violence. The inadequacy of resources to meet the people's needs, and the violence inherent in a resource-deficit situation, can be avoided by good governance to a large extent. This is a crucial point to understand for corruption to be treated more as an economic, rather than an ethical, problem to an underdeveloped country. Corruption, or abuse of office, is a deliberate choice on the part of the authority not to carry out the prescribed responsibility, or a will to go against the prescribed norms and rules of the office, unless unsanctioned private gains are ensured. And most choices, or their absence, in poor countries have to do with lack of financial resources.

Where people save enough to invest in their day to day needs, corruption might not matter so much because apart from raising the costs of transactions and adding inefficiencies, it does not immediately bring about a violence-ridden situation. The same is true with countries that have a constant flow of resources coming in to finance development- whether it be through tourism, foreign investment, aid or trade. You can create a spoil system, financed through corruption, and still have little economic problems coming in the way of governance. Order can prevail as long as there is enough to distribute to the population at large. In fact, corrupt practices only replace meritocracy. There is not much difference between a meritocratic order and a corrupt order, as long as there is order in the society. Obviously, in a spoil system, there is the ethical dimension, which has a wider implication to the society at large with long-term consequences. If this can be made acceptable, then corruption can be just a way of life rather than a problem. But in countries where resources are too meager, where people are living in dire conditions, and where every bit of effort is needed just to have the people meet their hand-to-mouth problem, corruption is an economic offence. Ethics comes later.

Once corruption has taken root as a way of life it easily becomes institutionalized. It eats into the existing institutions of governance and saps every other energy out of them replacing them for good. Meritocracy does not remain for long when corruption invades. In fact even merit is determined by the degree of corruption. The more corrupt you are the more meritorious you become. It engulfs everything in the way until violence displaces corruption. If violence can be institutionalized, corruption can be kept under control. Institutional violence here means the punitive measures adopted through legislation for any act that goes against the norms and rules of governance. In other words, fighting corruption involves battles on three fronts: the ethical front, the economic front and the legislative front.

If ethics and morality can be embedded in a people's way of life, much of the fight against corruption has been won. When people know that corruption is wrong, they do not have a tendency to be corrupt unless

forced by circumstance- economic hardship or otherwise. And, it is this circumstance that the economic front needs to tackle. Sound economic policies, that include every citizen in the economic mainstream and reward them for being in it, help eradicate all incentives for corruption. People do not take to crime for illegitimate gains, if the gains can be had legitimately. But those that are corrupt in spite of being in an economically prosperous, ethical society can be said to have a criminal tendency. It is here that legislative measures need to be resorted to for setting up an appropriate crime and punishment system.

The explanations provided so far do not appear to take corruption for the vice it actually is. Indeed, if a lowly paid civil servant does not have his hand-to-mouth problem solved, he is more likely to be lured into corrupt activities. Although this cannot be recommended as a way out for his problem, the responsibility for corruption here is not solely his. In fact, the system he is living in is forcing him to be corrupt. Those responsible for creating such a system, or those supposed to remedy such a situation, are equally, if not more, responsible. If businesses do not find survival viable, they are bound to be corrupt. The system devised for the businessman needs to be remedied along with other measures for it to be rooted out of the business sector. How will businesses survive if the grounds for competition are tilted against them through tax, tariff and regulatory measures? Such a situation leads ultimately to the contamination of the social sector, with even social workers doing everything except social services. Social institutions become just a stepping stone for political or business activities or sheer private gain.

This paper is written with the economic perspective on corruption in mind, hence leaves out the ethical and legislative arguments in dealing with the subject. It is divided into three sections- types of corruption, agents of corruption and concludes by providing some suggestions as combating strategies.

### **Types of corruption**

The main reason for corruption is the inadequacy of resources on the part of the corrupt to meet his or her perceived needs. Political corruption takes place when political leaders feel that they need more resources at their disposal to remain in control of political power. Bureaucratic corruption takes place if the salary or pay is too little to finance the civil servant's life. Higher rungs of the bureaucratic ladder are found to be riddled with political corruption as well. The economic or business sector indulges in corrupt practices when legitimate means are not conducive enough for the survival or growth of businesses. Corruption also takes place in social institutions when they are used for other purposes, other than their stated objectives.

Looking at corruption from the viewpoint of magnitude, it can be classified as petty, where small scale abuse of authority occurs for petty gains by small-time government officials, and grand scale corruption, where the state's resources are mismanaged derailing the governance process itself to a large extent. Grand scale corruption occurs in an organized manner where top politicians and bureaucrats are usually seen to be working in collusion. For any type of corruption there must be a perceived need for gains in excess of what is legitimately available.

In Nepal, two kinds of corruption have been most prominent- one by high level bureaucrats and politicians abusing their authority for personal or partisan gains and the other that occurs in the procurement process and the construction sector. Lately, the privatization process has also been added to the list, where opportunity exists to wrongly calculate the assets that are to be privatized so that the buyer and the officials responsible for sale can enter into a private contract of their own.

### **Agents of corruption**

When we look at corruption as a systemic anomaly, we find that inadequacy of resources is the main reason behind corrupt practices prevailing in the society. And when policies are constrained by resources, they tend to create social, political and economic deviations bringing to the fore all kinds of negative influences on public life. In Nepal, much of the corruption that is said to be taking place can be understood in this light. Viewed thus, we find the following agents that appear to be active in promoting corruption in Nepal:

**a. Lack of education** is a significant promoter of evils especially if the responsible people do not know the effects that corruption breeds in the society. Since politicians are the ultimate decision makers, the quality of leadership plays a vital role in the degree of corruption a society is subjected to. Most of the political

activists are not educated well because there is no education requirement to become a political leader, unlike in the bureaucracy where qualification determines the kind of job one gets. Even those leaders who spent a significant time of their life in schools or colleges spent their time politicking rather than getting themselves educated. This does not happen in developed societies, where almost all the leaders are not only good university graduates but have studied in the law school to sharpen their legislative skills before joining politics. The problem is so bad in Nepal that it is the political leaders who have undermined the sensitivities not only of the polity, economy or society, but of the geo-strategies of the nation as well. They have gone contrary to the laws of the land without much ado in many instances. A properly educated individual would try to do away with such systemic anomalies that promote corruption, because the first thing he or she would want to eradicate is the environment that allows the growth of corrupt practices.

**b. Erosion of civic and traditional norms** promotes corruption. Once such erosions are taken lightly by the society at large, they justify attacking on any social norm. If people follow their traditions there is little social incentive for corruption because there is no known custom that prescribes corruption. But if the moorings of the society are constantly undermined, then there is no traditional binding that works to keep individuals under check, be it corruption or any other social vice. Instead of taking customary practices as the necessary glue to bind societies together, many modernization attempts in underdeveloped countries have undermined them by dubbing them 'superstitious' or 'medieval' or other like adjectives. Developed nations have tried hard to keep not only their social heritage intact, but at the same time kept other ancient aspects of life intact- religion, cultures, art, architecture, scriptures etc. The academic sector and particularly the media play an important role in shaping the direction of a society, and hence the outlook on its customs and traditions.

**c. Demonstration effect** that accompanies higher levels of consumption among the haves of the society is bound to promote corruption among the have-nots, because existing opportunities do not cater to all the aspirations in an underdeveloped country. Here, too the media play an important role by being selective about what values to promote.

**d. A high cost polity** with a low resource base is another factor that needs bearing in mind. Multiparty democracy is an expensive system to upkeep. Because elections are expensive businesses for the exchequer, they should be exercised sparingly. But Nepali politicking has shown that leaders are wont to go for elections as soon as they are in power so that they can inflict injury to the opposition, without an iota of thought to the injury inflicted on the society as a whole in the process. Only political prudence can help here. This misuse of power is not democracy, only a form of corruption. Since clear regulations did not exist to prevent such expensive habits of political parties, it had to be the Supreme Court that had to stop them from going to the polls each time they felt like it, thus saving the economy from going further downhill.

Another, more significant, aspect of elections, is that candidates have shown their willingness to open up their purses very generously during elections. This means that they need to adopt corrupt practices while in power to fill them back. Recent Election Commission regulations have limited this urge of candidates to spend, but still needs to be further worked at. This is a complex problem, because funding of election campaigns is seen as a vice even in model democracies like America from which it has not been able to wriggle out.

**e. Relations with other countries** also matter in creating a corruption-free society. What has been noticed in Nepal's case is that economic relations with other countries, particularly India, have also been exploited by the corrupt to undermine the people's aspirations and needs, not to mention the laws of the land. Treaties with other can play havoc with the opportunities available to the people. Limiting legitimate economic opportunities to native activities and people will naturally force them to look for illegitimate ways for private gain. The most often cited is the 1950 treaty with India signed by an outgoing regime fearful of its overthrow and which was seeking external help to remain in power. Employment has been severely hampered because of the provision of equal treatment to Nepali and Indian citizens in that treaty.

There have been credible allegations against political parties for going against the people's aspirations to favor Indian interests with an intention to garner political support. Several projects based on the country's natural resources with long-term implications for the Nepalese have been the object of such criticisms. The Tanakpur treaty is a relatively recent case in point where the government tried to bypass the requisite Parliamentary ratification for its own political purposes. The open border has added to the problem with

mass movements of unsolicited people and goods making mockery of established norms of international trade.

Trade treaties with India have traditionally forced imports of inferior quality goods through the provision of favorable tariffs, thwarting any chance of industrialization in the country. And when the stifling conditions laid down in the treaties have been removed, they have been done so only after it has been ensured that Nepalese production systems have been crippled to the extent that they can never ever compete again. Similar treatment is not available to Nepalese goods in India which have not even enjoyed the facilities provided by the treaties.

The country thus has a business environment that is not conducive to indigenous production. Most people wanting to enter the business sector are therefore forced to be corrupt by circumstances. Some indulge in corrupt practices for profit, because legitimate means are so few. The business opportunities are further constrained by the difficult geographic terrain which raises costs making the goods and services more costly, thus reducing the profit margin. The transit costs of the landlocked nation make even imports more costly and exports are dependent on the transit country's policies.

**f. Business finance** has followed the unfavorable geo-economics of Nepal. The limited business options provided by the geo-economics, the treaties with other countries and the pursuit of globalization have severely hampered the prospects of a vibrant business finance environment. When production opportunities are limited, so are financing opportunities. Financiers are therefore lured by investment opportunities in illegitimate activities for quick profit. The environment has also seen the rise of a particular kind of corruption where bank finances are available to even untenable projects- since most are, through bribing bank officials.

**g. The revenue regime** is forced to be heavily dependent on customs because of the lack of industrialization. Since there industrial activities are not enough to finance the development activities through tax, the government is forced to depend on consumption, exports and imports for tax. This transfer of tax liability from the prospective industrialist to the trader has its own set of complications. The state is forced to depend on the customs as a major source of revenue. The undue importance to the low-paid customs officials and their exposure to the temptation of bribes with every consignment that passes through them is bound to increase corruption. Again, the low base for legitimate business activities in the country produces a recipe for underground economic activities to such a scale that they can make or break a government. Now, establish a link between the customs and the underground businesses. Under such circumstances, it would be a miracle at all to find even the existence of a legitimate government.

**h. Macroeconomics of the nation** too accounts for pushing the country towards corruption, if not managed well. Since the Nepalese regular expenditure is already problematic with unsustainable amounts of debts and repayment schedules, there is very little left to be used for increasing the capacity of the civil servants through training and raising their payscale- a prime reason for bureaucratic corruption.

**i. Multilateral donors** have been at the forefront pushing for economic austerity. Such austerity is not only hampering efforts to raise the pay of civil servants, but there are indications that austerity conditions forced by these institutions may have to do with high profile corruption cases. One case in point is the series of corruption scandals rocking the Royal Nepal Airlines Corporation. Since austerity measures prescribed by the International Monetary Fund prevent the government from borrowing or guaranteeing a loan for RNAC to buy a plane, it is forced by those conditions to meet its need for a plane through leasing. Since leases are short-term in nature (several months) there are a couple of scandals every year. One may argue that it is not the donors but the government inefficiencies that have led to this situation. But the fact is that, had there been no austerity conditions, a single purchase would have had only one instance of corruption for quite a number of years, instead of the couple of scandals every year.

**j. Shifts in policy** have a major role to play here. This has been particularly evident in recent reform measures that call for privatizing the public industries. The poor performance of the enterprises meant that more efficient management teams were needed at the helm. Instead, the solution was found in transferring the ownership, not management, of the enterprises. This allowed the incumbent management a free ride on the public exchequer's blank cheques to do what they liked with the public assets. Instead of demanding better performance through measures such as linking their pay with the performance of the corporations, they were guaranteed with a safe job until the sale was over. Even profitable enterprises have had the

incentive to indulge in kleptocracy, albeit with the collusion of their political masters. There is no accountability sought here, a real moral hazard for all the unprivatized public corporations.

**k. Lack of effective regulations** governing the independence of anti-corruption bodies has led to a situation whereby the Commission Investigation Against Abuse of Authority (CIAA) and the Special Police Department (SPD) cannot act on malpractices even when cases become loud enough for the common man to shake his head at. The main reason for this situation is the authority to appoint and transfer the officials there rests with government leaders who are themselves mostly alleged to be implicated in corruption. The powers of the agencies do not reach the higher echelons of government, that are said to be the source of misuse of power and public assets.

**l. Foreign aid** has multiple dimensions. It is not only the demonstration effect that employees of foreign aided projects impart on other low paid workers of other organizations that has direct bearing on corruption. The tendency of foreign aid to favor politicians and bureaucrats by funding their constituency projects through NGOs makes other politicians and high ranking officials follow suit by working to please the providers of aid rather than doing what is dictated by their responsibility. This happens because development budgets are always falling short of their constituency needs. Also, highly paid foreign consultants may be a necessity for foreign aided projects, but in the eyes of the locals, it is clearly an act of paying them in excess of what they are due. In other words, corruption.

**m. Development projects** have long been seen as a prime promoter of corruption in almost every part of the world. Procurement deals and contracts are said to be riddled with corruption- right from the donor institutions to the local government officials involved in the project. Lack of transparency here complicates the matter further.

## Conclusion

The agents of corruption listed here do not take into account who carries out the corrupt activities, but rather it is only an attempt to find out what makes corruption possible. One could cite more areas that need attention, for example, trade, investment, the political-business nexus etc. But that is hardly the point. The point is that, since we have already linked corruption with a deficit in resources, one can find two kinds of agents in the list- one which drains the resources and the other that fills in the resource gap. First, resources are drained for personal political or economic mileage. And, again, private gains are made while resources are brought in to fill the deficit. So there is a double-edged sword here.

Once we accept that a dearth of economic resources is key in promoting corruption in the society, then the agents of corruption listed above, that have been constraining the legitimate opportunities of the citizens, can come under control. It is then that a legitimate base for carrying out a society-wide anti-corruption drive can be put in place. Because, only then, will there be no economic justification for the wrongs committed by public officials. But the agents listed above have to do with the very statecraft of the nation, which is directly dependent on the kind of place it finds itself in the global order. This shows how complex the problem is. Indeed, corruption cannot be fought in isolation, but is linked to every other dimension of national life, including regional and international issues and events. Nonetheless, some form of monitoring the efficiency in the use of resources needs to be in place so that corruption is detected early on. Public officials and politicians should be made to pay the price of draining the resources directly or through inefficiencies.

Recommendations have been made by many studies which need not be mentioned here, except that they have all focussed on anti-corruption authorities like the Parliamentary Public Accounts Committee (PAC) the CIAA and the SPD. These have been recommended to be strengthened and made more politically independent so that they can carry out their activities more effectively. Similarly, integrity of public life, minimizing the scope for discretionary authority, reducing the arbitrariness in decision making, stringent control on financial transactions and public accountability can be the built-in safeguards for combating corruption. Measures that would equally help in curbing this evil include press freedom to facilitate the public's right to information, strengthening of the democratic process, avoidance of bureaucratization and over-regulation and improving the neutrality of the public service system and subjecting them to democratic control.

In addition, the banding together of citizens in an anti-corruption drive would help to give a social dimension

to the fight against corruption. This is important. Such associations of people can help by initiating social norms that boycott the corrupt from social life and instill values in the media, the academia, the civil society and the judiciary. This makes it conducive to fight corruption.

Corruption, both in dimension and complexity, is all-pervading and ultimately results in its social acceptability. And, its control might just be in namesake if the agents of corruption are not taken care of. It is these agents that are responsible for making corruption widespread and deep-rooted in a society. If prevention is better than cure, then, indeed, these agents need to be monitored. Any bank itself does not imply corruption; left unchecked banks could breed it like nothing else. Similarly, at the policy level all arguments sound proper, for example, the 'economic efficiency' argument for privatization. There is no sign of corruption at the policy level in trying to root out inefficiency. But look again, and it becomes obvious that corrupt practices are allowed to go scot-free in the name of rooting out inefficiency. It is these agents that facilitate an environment where corruption becomes inescapable.

Transparency and secrecy have been widely abused terms in terms of corrupt practices. Transparency is not desirable when it reveals state secrets that could play havoc with security or development or any other vital aspect of national life. Similarly, privacy of individuals and transparency of their public deeds are desirable objectives if only to instill some form of accountability in them. But corruption can lead to the misuse of the constitutional provisions for freedom of expression by revealing state secrets and shrouding misdeeds of public officials.

The agents of corruption can be significantly brought under control if anti-corruption values are promoted in the society. It is here that legislative measures alone do not help. Once the society can be made ready to accept that corruption cannot be a civil way of life, and once the economics of the nation does not force citizens to seek illegitimate means for a legitimate survival, other measures can come in handy. Legislative measures can facilitate the anti-corruption drive only if social values and the context where corruption takes place are not conducive to abuse of public office.

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## **Awareness, Accountability and Transparency - Meaningful Terms but Without Practice.**

- Dilli Ram Dahal, Ph D

"A dog with a bone in his mouth cannot do two things: he cannot bark and he cannot bite".

-Poriffo Diaz,

A Mexican Dictator of the 19th century.

In the past decade, and particularly since the restoration of the multiparty democratic system in Nepal in 1990, awareness, accountability and trans-parency have been frequently discussed. Today, no document concerning development undertaken whether by government or by NGOs becomes complete or moves further without discussing these terms. The widespread discourse has indeed led to a substantial increase in information flow among the people. As a result, today, many people are aware of these terms. But the concern for all of us here is to see whether these terms are being understood and practiced with a view to sustain democracy far into the future. It looks like there has been little advance in internalizing these terms to incorporate them into the "work ethics" of Nepali culture while in many cases, these terms have remained limited to speeches of the political leaders or in seminar papers or in the progress report of NGOs.

In spite of the fundamental roles of awareness, accountability and transparency in an advanced democratic political culture, this realization has yet to take root in Nepal. In Nepal, as democracy still remains in a rudimentary form, these terms have remained more or less in rhetoric only. Hence, the argument of this paper begins with an assumption that these terms are used by politicians, researchers, policy makers, NGO people and administrators for the sake of taste rather than as a willingness to act. The assumption goes further: simply knowing these terms or making oneself aware of these terms is simply not enough to prepare a person to internalize these terms or put them into action. Ordinary Nepali do not readily change their inherent cultural values to internalize these terms for action. They are rather want to twist these terms for "undue benefit" without changing their working culture. Many Nepalis are aware of how a ministry is formed by a particular prime minister or what the government is doing. And, everybody knows that there is corruption, or there is little transparency in fiscal matters, or in many cases, false documents are prepared to rationalize the expenditure pattern for a particular project and so on. Obviously, by simply narrating these terms nobody becomes accountable nor anything becomes transparent. In a developing country like Nepal, particularly after democracy's restora-tion, these terms have become an authorized white paper to cheat the people in the name of helping them or uplifting their "quality of life".

As "awareness" is always in the forefront of any discourse, this paper basically highlights the other two terms in the context of the working Nepali culture and institutions. Primarily, this paper is focused on the following three areas:

- a. Transparency and accountability in education
- b. Transparency and accountability in the activities of NGOs/INGOs and,
- c. Transparency and accountability in the context of corruption

In this paper, examples are drawn heavily from my own experiences while working and participating in various NGOs and educational and political institutions of Nepal over the last two decades. First, let me briefly explain about these terms, which I have frequently used in this paper.

### **a. Awareness**

Awareness is a concept developed by Barney Glaser and Anselm Strauss in "Awareness of Dying" (1965) "the total combination of what each interactant in a situation knows about the identity of the other and his own identity in the eyes of the other". This particular meaning of awareness clearly suggests that not only the concerned people should be aware of a particular problem, issue and its ramification but also the proponent of awareness should be equally aware of the other parties and who they are. In Nepal, is this kind of reciprocal behavior of "awareness" taking place in the working culture?

### **b. Transparency**

Simply put, the term "transparency" basically connotes an "open society" where any kind of public and private action or behavior is not hidden. Panday relates the concept of transparency in politics and bureau-

cracy of Nepal with the following words "Transparency simply means openness in government and a system of values that promotes sharing of information and obligation among major public actors for what is traditionally called the public good. To Panday, transparency enhances the quality or effectiveness of public policymaking through open debate and it also commands greater public acceptance.

### **c. Accountability**

The simple meaning of accountability is that a person is obliged to be accountable for one's own action or activities or a person is responsible for any kind of work under his preview. In other words, accountability is the responsibility of a person, institution or organization for any kind of work done either in the formal or informal setting. One scholar notes "Development of a country is systematically linked with enhancing transparency in decision making and accountability; taking responsibility for decisions, rather than hiding behind hierarchic bureaucratic processes; taking steps to disseminate information on expenditure programs and financing at all levels of government, even the lowest level of local administration; and strengthening the legal framework and implementation mechanism for corrective action.

In brief, the simple meaning of these terms is to search for a public rationale for every kind of development package or action, whether that particular package or action is run by NGO, GO or private organization. In Nepal, scholars systematically link transparency with accountability. In the following discussion, I argue that the terms transparency and accountability have become two separate entities; many things are very much transparent in the Nepali culture, but very few people have been accountable or responsible for their action.

### **Accountability and transparency in educational institutions**

There is a direct relationship between education and development of a nation, ie higher the level of education of the people, higher is the development of that country in social, economic and political terms. On the contrary, in Nepal, not only the level of education as a whole is low but also the public educational system is gradually deteriorating over the years and not providing quality education to students.

Let me start with the results of the School Leaving Certificate (SLC) which is conducted every year by the Board under the Ministry of Education (MOE). The latest results of SLC examination of the BS 2055-56 clearly suggests that nearly 87 percent of the private school students passed but less than 44 percent of students from the public schools did so. Not only that 70 public high schools of the country scored zero percent result in the said SLC examination. Though the MOE claims that it is increasing the per capita investment in students, the performance of schools is deteriorating every year. For example, the per capita cost of primary and the high school level students to the government was only Rs 375 and Rs 529 in 1990 which increased to Rs 1270 and Rs 1644, respectively, in 1996. The amount increased nearly 225 percent at the primary level and 211 percent at the high school level over the period of six years even though the performance of the public schools, in most of the cases, is not satisfactory at all. The situation has become so bad that many parents who are a little better off financially are reluctant to send their children to the public schools. But who is responsible and accountable for this sad plight in the performance of public schools? Is it that teachers are not teaching well? If so, why are not they punished for their bad performance? If the government is not providing the required services to the public schools, why make such big noises about the functioning at all? It clearly suggests there is lack of transparency and accountability on both sides in their everyday work ethics.

Likewise, the government claims that the public schools provide free tuition; it also provides books to students, particularly the female students. For an outsider, the whole thing sounds as if Nepal were a welfare state in terms of public education up to the high school level. But this is not the true story. Today, all these so-called public schools or the government schools collect money from students not in the form of tuition but in the name of school maintenance at the time of admission. In many cases, this admission money exceeds the annual tuition of a student. This admission cost ranges from Rs 700-1500. In brief, neither the government nor the school management are transparent and accountable in their actions as far as the case of public schools is concerned.

The story of the so-called English medium schools or private schools is equally bleak as far the question of transparency and accountability is concerned. Over the years, these private schools have become out of reach for the common people. In a country, where more than 50 percent of the people live below the poverty line, their legitimacy itself is questionable. The MOE which is supposed to be responsible or

accountable about the functioning of these private schools hardly bothers about their activities even in the Kathmandu valley, where the capital is located.

To illustrate, let me present a case study of Galaxy Public School, one of the prestigious English medium boarding schools in Kathmandu. This school was established hardly 13 years ago (1986) but it has a property worth many crores of rupees today. Currently, there are well over 4,100 students from Nursery to Class Twelve. Below, a picture of how this school charges the students in the name of providing quality education is presented:

Admission fee once a year: Rs 5,000 (according to parents, a student has to pay this money for every new class that s/he is promoted)

Annual charges: Rs 5,950 - 9,350 (based on class)

Tuition: Rs 800 - 1500 per month for various classes,

Bus fare: Rs 400 if applicable

Clearly, in the name of admission and annual fees only, this particular school collects more than four crore rupees every year. This type of school provides accommodation and meals to students who want to stay in the hostel. This school charges Rs 2500-3000, every month from a boarder student. There is an annual charge to be paid every year for the boarder student, which ranges Rs 12,400-17,400 per student in different level of classes. For books and stationary, a student pays Rs 4,000-5,000 per annum (cost of the school dress, shoes and snacks, extra)

Source: Prospectus, Galaxy Public School, Gyaneswar, 1999 Considering that a Section Officer (a third class Gazeeted officer) earns only Rs 4,200 per month as his salary, how can he afford to send his son or daughter in a school where he has to pay more than Rs 3,000 per month? In other words, in the name of providing quality education, these private schools do good business in Kathmandu. This is transparent to everyone. Does this kind of transparency have any meaning for people who have no choice except to send their children to such schools? There are many so-called English medium private schools in Kathmandu which are running in this way. As the public schools are not functioning well, the average middle class parents are forced to send their children to these private schools and they very well know that they are cheated conspicuously by these schools. The government also knows very well about the functioning of such schools and parents' position is so precarious that they can hardly raise voices against the schools.

The sad story here is that this type of educational system is producing two types of citizens in the country with different political culture and values. In other words, the weaker, poorer and socially and economically disadvantaged groups will become poorer and more disadvantaged in the coming years. So the noble concepts of democracy and 'empowering people' will remain only in the form of speeches in the future.

In higher education, Tribhuvan University (TU) is the academic institution where the concepts of transparency and accountability have been twisted or muzzled in its day to day functioning for the last 40 years. On the one side, since its inception in 1959, speeches are heard from ministers, leaders of political parties and even academics that academic institutions such as TU should be free from politics. But, since the Panchayat regime, once the government changes, particularly after the formation of a new cabinet, all new appointments at TU are made based on political considerations, including the vice-chancellor, the Rector, the Registrar, Deans, Executive

### **Directors and Heads of Departments.**

During the Panchayat regime, which ruled the country for almost 30 years, the vice-chancellor was the trusted political aide of the palace. Not only that, the Panchayat system systematically recruited the American, British and Indian Ph.Ds in various administrative, teaching and other senior posts, who played a dubious role throughout the regime. On the one hand, they indirectly charged that the Panchayat socioeconomic and political structure was built upon oppression and exploitation of the people, on the other hand, they constantly supported the system because it provided them prestige and wealth. Furthermore, the Panchayat, systematically created three groups of people within the structure- the leftist, the rightist and the panchayatist even in the TU while claiming that there was no place for organized political activity within the system. These values operated in schools, colleges and the university system in the name of students' union, teachers' union, etc. In other words, such semipolitical organization in the academic institutions was

an essential tool for the sustenance of Panchayat rule, which eventually played a negative role leading to the downfall of the Panchayat regime itself.

Even after 1990, this Panchayati ghost entered the political culture systematically affecting the entire education system. Because of this, TU is mired in politics in every field today. There are two distinct teachers unions and more than four students unions functioning within the university. These students unions are very active, at the time of election and during the admission of the students. The elections of the students and teachers at university have become a fanfare, or a kind of festive occasion where a person is engulfed by posters and flags everywhere, including the main building of the vice-chancellor. During elections, the candidates of the students' are backed by the respective political parties. They fix quota of students to be admitted at a particular department or even dates for examination should be conducted, etc. And any position occupied in the student union is rewarded by the political party during general elections giving them a chance to become the member of parliament or other respectable position once that particular political party comes to power.

Likewise, the position of chairman or secretary of the teachers' union is rewarded as a trusted political aide of a particular political party. Now at TU, vice-chancellor is the potential candidate of ambassador for the ruling government. As the academic quality is deteriorating every day at TU, very few people have faith in it. Today, even a teaching department of the university, has its own association, which functions basically in the form of a particular political party. The situation of TU has become so bad that even if it wishes to raise the monthly tuition fee of the students there will be big strikes by students and teachers on the premises of TU. The TU authorities keep silent as these students are strongly supported by the political party with which they themselves are associated. In brief, over the years, TU has gradually turned into a political institution, thus. Has become a platform to organize every kind of political activity Who should be accountable for this kind of situation? As mentioned before, transparency per se does not make much sense unless a person is accountable for his deeds.

### **Transparency and accountability in nongovernmental sectors**

One of the serious charges labeled against the NGOs/INGOs is that there is little transparency and accountability in their activities. There is massive financial irregularities and the public has no idea how the money is being spent in the name of a development projects. It is worth noting here that even the Ministry of Finance has no record of the extent of the money flows into Nepal through NGOs since bilateral agreements exist only between the NGOs and the donor organizations. Very few NGO states clearly how much money it spends for the salary of their staff, office maintenance and so on. Many times, in the name of development of a project, money is spent in infrastructure such as making buildings, buying equipment, vehicles, furniture and so on. One of the sad stories in the name of foreign projects (where a large number of NGOs and INGOs work together in a development package) is that advisory services eat up large portions of the overall budget, for instance, 40 percent in road, 37 percent in irrigation and 39 percent in tourism development activities. One scholar even argue that only about 15 percent are the real beneficiaries of foreign aid in Nepal

According to one study the annual budget of this particular INGO showed that 90 percent was allocated for the project and the rest 10 percent for administration. Reality, however, was just the opposite. The annual budget for the year 1997 was Rs 15,758,729 for the program areas of 16 VDCs of Baglung District. The direct financial input for programs and disadvantaged groups was Rs 2,105,590 (13.4 percent) and rest of the money was spent paying salaries to the staff, vehicle maintenance and operation, office maintenance and consultant services, training for project staff, helping institutions such as the Red Cross, repair of CWSS and so on. Many of these INGOs support the local NGOs for their programs who also utilize this money for their own office maintenance, salary of the staff and so on.

It is said that donor agencies have already spent US \$ 32.23 million through various NGOs in the last six years in the name of "strengthening democratic institutions" although democracy per se is drifting in downward spiral by the day. Which were the NGOs responsible for strengthening the democratic institutions and why were they not made accountable for their irresponsible performance? This is not an isolated example. In many of the NGOs where I work in Kathmandu, the first instruction I always get is that I should not talk about money matters, particularly my salary, the per diem and so on. Many times, many of these local NGOs when they hire the local consultants, their overhead per consultant ranges from 50-80 percent

of the total salary of the staff. Inquiry will reveal that the high overhead cost is due to "unseen factors" and so on for getting a project.

### **Transparency and accountability in the context of corruption**

Over the last four decades, since the government and many NGOs started working in the poverty reduction program in Nepal, poverty stricken people have increased. This fact is transparent to the government, NGOs and to many people as well. That is why Bhattachan has rightly pointed out that "poverty has evolved as the largest green dollar producing industry in Nepal for the last four and half decade". The duty free import of vehicles (Pajero) by members of parliament (MP) 245 out of 265 is transparent to everyone. It has become a glaring example of corruption for many reasons:

- a. Even representatives of districts where there is no motorable road have bought the Pajeros;
- b. These MPs do not use their duty-free Pajeros for themselves but rent them out for personal gain. At the same time, these MPs do not forget to use their privileges of enjoying government cars or taxi services in their day to day work.
- c. The MP is the representative of more than 50 percent poor people if not 100 percent. How can s/he order a duty-free Pajero morally or ethically? It is very sad to note that those MPs who brand themselves as "communists" of different hues, and make slogans of equality among people, are ahead in importing the Pajeros. Some have even sold their red passports for money. Undoubtedly, the import of Pajeros always ensures a handsome return for the buyers eventually leading to corruption.

If democracy demands greater accountability from public servants and politicians, there is little of that in the working Nepali culture. Hridayesh Tripathi, MP and previously the chairman of the Public Accounts Committee (PAC) in 1997, reported that there were many unsettled accounts related to the Ministries of Tourism and Civil Aviation, General Administration, Water Resources, Education, Home, Commerce, Supply, Information and Commu-nications, Local Development and Law and Justice and so on. A few interesting observations as presented by PAC were as follows:

- a. Agreed plans and programs are not completed in the given time frame and allotted money
- b. In many projects, highly paid foreign consultants are involved.
- c. There is a lack of transparency in the assistance received by non-governmental organizations  
The sad story here is that the PAC chairman himself was involved in renting out his duty-free Pajero while at the same time using government car for his personal use.  
These PAC findings suggest that there is corruption everywhere in the bureaucracy and administration. So there is no wonder for the people when they see that the black-top of a road in the heart of Kathmandu is washed away the next day after it was black-topped. These days, corruption is spreading everywhere including the VDCs. HMG started providing Rs 500,000 since 1995 to be spent on development activities of every VDC. This money has become a source of corruption even among the village leaders such as ward chairman and VDC chairman.

Nobody does any piece of work at the village without money. Voluntary labor in a development project is gradually disappearing.

### **Conclusion**

Finally, the terms- awareness, accountability and transparency in Nepal are used forcefully in speeches but misused in everyday action. These terms are also used confusingly, as the contextual understanding of these terms differ in populations with diverse ethnic, cultural and religious groups. Use and misuse of authority by politicians, administrators, teachers and so on is systematically linked with accountability and transparency. It is obvious that after the restoration of multiparty democracy there has been a declining level of moral standards in the social, economic and political institutions. The culture systematically encourages receiving undue benefits from one's own kin or relatives, who occupy high positions in bureaucracy or in the politics. Aspirants for parliamentary membership make many false electoral promises

to the people in their constituencies. How many of these false promises are fulfilled once they are elected as the MP? If not, are they accountable? We always provide light justifications for such an irresponsible behavior by saying "it is like that in politics". To sum up, the people who constantly raise voices against these three terms- awareness, transparency and accountability, are in a position of "a dog with a bone in his mouth". The only solution for transparency and accountability to function properly in Nepali context is to make the Nepali civil society strong and effective.

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## **System of Transparency - Ram Kumar Dahal, Ph D**

Transparency as an inseparable part of good governance is receiving world-wide recognition and has thus become a quite fashionable term. The term has caught up with political leaders, policymakers, development planners, media, academia, development practitioners, experts of NGOs and INGOs and everyone else interested in good governance. Authoritarian regimes maintain secrecy in their decisionmaking. But an open democratic and competitive political system gives much importance to transparency in its business. The country's democratic governance can be determined by laws concerning access to information on matters of public interest. If information does not flow freely, democratic debates suffer from substance and quality. The citizens cannot monitor the functioning of public actors and institutions including shady dealings and corruption. Democratization cannot be pushed forward without transparency, accountability and good governance. An open and competitive political system always demands transparency in its transaction, accountability, and responsiveness to the electorates. Liberal democracies, thus, provide a sound basis or background for transparent and good governance. The citizen's right to demand and receive information from the government is protected by a democracy on any matter of public importance, except those, which are permitted to be kept secret by law. As Nepal has been exposed to western democratic values with its adherence to the tenets of an open society, the study of transparency acquires importance.

### **Concept and context**

The term 'transparency' has been defined by lexicographers as "a state of being transparent; photograph printed on transparent plastic and something that can be viewed by shining a light through it and slide". The adjective transparent is defined as "allowing a light to pass through so that objects behind can be seen clearly, about which there can be no doubt, unmistakable, easily understood and clear."<sup>1</sup> Social scientists including political scientists have adopted the term 'transparency' for their own environment and situation. In politics, the term means that the political system should always maintain openness in its transactions with the citizens without maintaining any secrecy. The citizens have every right to know what the government is doing in their name, for their interest and welfare. The major concern of transparency in politics is that the government information is freely available and decisions, functions and actions of political authorities and decision-makers are subject to public scrutiny. Public access to government information and the constitutional provision guaranteeing the right to information of every citizen and making available of official reports, budget review etc. freely to the people are thus required for transparency to exist. "Public access to government information empowers citizens to make important choices and to achieve a greater degree of transparency of government activities. One of the vital attributes of democracy is open public debates on crucial matters affecting their lives."<sup>2</sup>

Transparency has been considered as a powerful tool to combat corruption. In many countries combating corruption remains a principle item of governance agenda and transparency in public affairs has a lot to contribute to that effect. The relation between transparency and governance is more than its possible contribution to the campaign against corruption and other administrative and political misdeeds. Transparency is undoubtedly a strong basis of democratic and open polity, which forces its leaders to be responsive to the people. Transparency, in most cases, can be considered as a tool to fight negative political and bureaucratic behavior, thus a part and parcel of open and pluralistic polity. No state that does not practice transparency, to a certain minimal extent, can claim to be responsibly and decently behaving towards its public. It is also a right of the citizen "rather than a disposable option or a matter of choice"<sup>3</sup>

Transparency provides a sound basis for good governance.<sup>4</sup> Non-transparent behavior in any political system leads to a serious crisis of governance.<sup>5</sup> In empowering people for participatory democracy and development, promoting local governance and enhancing the role of civil society in democratic governance and providing power to the people in a strict sense and promoting local resource mobilization, transparency serves as the key.

Moreover, "self governing polity, transparency in decision making and accountability of political leaders to the lives and hope of ordinary citizens have come forth as practical political demands of modern civil societies."<sup>6</sup>

The system of transparency has its own characteristics. As it is one of the cardinal principles of good governance, it is highly associated with accountability, responsibility and legitimacy. Public choices are

greater in a transparent or open society than in a closed and authoritarian one. Similarly, public knowledge about market and political programs is also greater in the former than in closed societies. In a transparent system the civil societies organizations including associations and societies of teachers, students, laborers, industrialists, businessmen and other professionals, NGOs and INGOs remain active in the process of democratization encouraging public access to decisionmaking. A vibrant civil society encourages transparency, accountability and responsiveness to a larger extent. The Auditor General (AG) in open and competitive political systems acts as the watch dog of financial integrity of the government and public offices to maintain financial regularity, economy, efficiency, effectiveness and propriety. Parliamentary control over the national purse is also widely accepted in a transparent and open society. A transparent and accountable political system always encourages open and competitive party system, non-partisan and merit-driven bureaucracy, effective interest and pressure groups and an independent media. "Transparency allows self correction and enhances the equality and effectiveness of public policy making through open debate."<sup>7</sup>

### **Prospects of the system of transparency**

Nepal's experiment with the system of transparency is not new. Prithivi Narayan Shah, the founder of modern Nepal on the request of the people had appointed Kalu Pandey as his chief Kazi instead of Biraj Thapa, whom he had preferred. The Shah rulers, while initiating and introducing a new public policy, held discussion with people of different sectors encouraging transparency in their policies. The Ranas (1846-1950) undermined the system of transparency in their transactions with the people. With the introduction of multiparty democracy in 1950-51, Nepal was exposed to Western democratic values but transparency was not encouraged though political parties till 1960 tried for that. During the Panchayat period, Nepal remained a closed one undermining citizens' right to information and press freedom.

#### ***a. Constitutional and legal provisions***

After the political change from a nonparty to a party system in 1990, the prospect for good governance and the system of transparency has become wider. These concepts are constitutionally facilitated and promoted in various ways. The source of sovereign authority lies in the people and attempts have been made to consolidate adult franchise, constitutional monarchy, pluralistic democracy, open and competitive political system and free election. Constitutionally, Nepal desires to conduct its governance in consonance with popular will. The constitution makes the state ultimately responsible to the people. The people on the basis of adult franchise directly elect the members of the Lower House of the Parliament and the Nepalese cabinet, which exercises executive powers, is accountable to the Parliament and the latter to the electorates in general. The Supreme Court is entrusted with the important power to protect the Constitution and the fundamental rights of the people. The present constitution, in its directive principles and policies of the state, has clearly pin-pointed the common attributes of the system of transparency and good governance without mentioning the terms as such.

The Nepalese state takes the responsibility to "maintain conditions suitable to the enjoyment of the fruits of democracy through wider participation of the people, to create conditions for economic progress, protect the environment, safeguard rights and interests of children and promote social objectives" The constitution has provided a sound framework for transparent governance. The first directive principle of the state says: It shall be the chief objective of the state to promote conditions of welfare on the basis of the principles of an open society. The right to information, the right to freedom, the right to equality, that Press and Publication and various other Acts relating to the media make it feasible to make the process of governance open. However, actual transparency depends on political attitude and the enforcement of laws.

#### ***b. Transparency and public access***

In order to promote a System of Transparency (SOT), the media plays an important role in providing the people both governmental and non-governmental information. Independent non-partisan and constitutionally guaranteed media have become an essential prerequisite for SOT. Every citizen of Nepal, under Article 16, has the right to demand and receive information on any matter of public importance except those which are to be kept secret by law. Such matters, as the present practice shows, involve security and strategic issues, though they are not specifically mentioned in the constitution. Hence, a denial of the constitutional right to public access to government information is a violation of the fundamental right of a citizen, which can be contested under the constitutional remedy provision as outlined in the Article 23 of the

Constitution. The Supreme Court (SC) which is regarded as the guardian of the fundamental rights of the citizens, under its extra ordinary jurisdiction outlined in Article 88 (2), can enforce this right. Article 13 provides the right to press and publication according to which "no news items, articles or other reading materials" except in few conditions as specified in Article 15(1) of the Constitution, "shall be censored", no press shall be closed or seized for printing any news item, articles or other reading material and no registration of newspaper or periodical shall be canceled merely for publishing any news items, article or other reading material".

### ***c. Court and right to information***

For the enforcement of the fundamental rights conferred by the constitution or for the settlement of any constitutional or legal question evolved in any dispute of public concern, the SC has the extraordinary power to issue necessary and appropriate orders to enforce such rights or settle the dispute. With a view to imparting full justice and providing the appropriate remedy, it can issue appropriate orders and writs. The extent of the right of public access to government information was sufficiently demonstrated in the case of certain reports regarding the feasibility of the Arun III project, following the Supreme court's ruling on the petition, filed by several NGOs. The reports were made available to the concerned parties.<sup>8</sup> Thus, in realization of the rights to information in practice, the court has undoubtedly played an important role in strengthening the process of democratization in the country.

### ***d. Transparency and auditor general***

Under the constitutional provision, the AG works as the supreme audit institution for auditing the accounts of both the constitutional organs and the government bodies with particular attention to economic regularity, efficiency, effectiveness and rationality. His office acts as a watchdog over the financial integrity of the government offices and corporate bodies. He may also issue necessary directives setting forth the principles for carrying out the audit of such corporate bodies. The AG has access to documents concerning accounts for the purpose of carrying out his functions. In addition to the accounts of the constitutional bodies and government offices, the law may also require the accounts of any other office or institution to be audited. The AG submits its annual report to the king, which is laid before parliament for discussion. The Public Account Committee (PAC) discusses (Art.100) the report presented in the House by the Finance Minister in detail. Its chief responsibility is to make the cabinet answerable to the will of parliament and prevent corruption and irregularities through the development of financial and auditing procedures. As the AG is appointed directly by the king on the recommendation of the Constitutional Council and has the same removal procedure as that of the Chief Justice, he remains independent from the government, politicians, civil servants and political parties. In this sense, AG has tremendous power over the use of the national purse.<sup>9</sup> "His close cooperation with the PAC of the Parliament and with the media has made him a formidable watchdog of the executive, and an active guarantor of accountability and government ethics in the Nepali system".<sup>10</sup>

### ***e. Combating corruption and abuse of authority***

Corruption, in recent years, has become a "global phenomenon and an international movement against it is making progress. As a sub-system of the international system, Nepal might be able to benefit from what has happened in other parts of the globe and be wise enough to take advantage of the opportunity to combat corruption.<sup>11</sup> The constitutional provision of the Commission for the Investigation of Abuse of Authority (CIAA), in Article 98, to conduct "inquiries into, and investigations of, improper conduct or corruption by a person holding any public office" and accordingly "bring an action against such person in the court" has given enough room for combating corruption and abuse of authority. If any person holding any public office has misused his authority by improper conduct, it may admonish such person, or forward a recommendation to the concerned authority in writing for taking departmental or any other necessary action".

### ***f. Transparency and public account committee***

The PAC is one of the effective parliamentary committee of the House of Representatives (HOR) with the mandate to track, monitor and supervise the financial activities of different ministries, departments and public enterprises against specific objectives and plans of the state. But it is not constitutionally and legally

empowered to penalize the defaulters. The reports submitted by the committee reveal huge unsettled amounts and present "grim realities such as gross negligence, delay, lack of accountability, which raises concerns about the style in which institution of governance has been interacting with the citizens.<sup>12</sup> But as no action is taken by the government to regularize them, its reports become meaningless and ineffective.

### **System of transparency in practice**

With the implementation of the 1990 constitution, democratic norms and values have been restored. The exposure of the Nepali people to the outside world has brought important changes in their lives. The universalization of society and the participatory democracy at the grassroots level are undoubtedly the positive impacts in the process of democratization. Under the process of democratization, the government has tried to encourage the system of transparency, accountability and good governance at least in theory, if not in practice.

In order to strengthen the process of democratization and to facilitate exchange of information between government and people, Nepali Government has made attempts to institutionalize the appointment of spokespersons as the information officers in each ministry. These officials are instructed to maintain contact with the people regarding the activities of the ministry. They occasionally call press conference and make a formal announcement about the decisions and the activities of the ministry. To receive specific information on the policies and programs of the concerned ministry, the public and the media men can contact him and he provides the official reports and information to the relevant party. One of the important positive achievements in the field of transparency is that the government reports were made available to the concerned party on the Supreme Court's order. Thus, the public's access to government information was officially recognized. Information on budget and parliamentary legislation are made available to the public and the parliamentary proceedings and deliberations are open to the press and the public who can also observe the deliberations of the HOR if they acquire a pass issued by the government. But this openness does not apply to the parliamentary committees.

#### ***a. Transparency in the council of ministers***

Another positive achievement is that the Nepali governments, since 1990, have been more transparent than that of Panchayat, although they are not transparent as expected. Cabinet ministers have been found publicly expressing disagreement with or claiming ignorance of the decisions taken by the Council of Ministers (COM). But such a situation not only shows disrespect to the system of transparency but also makes a mockery of the principle of collective responsibility, the essence of multiparty parliamentary democracy. This principle gets violated also when the king receives advice from the prime minister on subjects that require the consent of the COM. Due to the lack of transparent behavior, many public decisions made in the name of the king became unnecessarily controversial over the last ten years. In most cases, the prime minister alone decides everything in the COM undermining other ministers.

#### ***b. Transparency in parliament***

The members of parliament have to play a key role in promoting and encouraging the system of transparency and accountability. But the functioning of the parliament during the last ten years has shown a largely negative picture. Most of the parliamentarians during the 1994-98 period of coalition governments showed undemocratic and unparliamentary behavior undermining the role of the parliament itself. The parliament is found little interested in formulating genuine policies, there was a trend of ruling by ordinance by the executive rather than by taking the parliament into confidence.

#### ***c. Transparency in political parties***

The political parties in Nepal are not transparent in their activities. Most political decisions in these parties are taken secretly without giving any knowledge to the public and even to their own members. Moreover, there is no interparty and intraparty transparency, a few influential persons make important decisions what Duverger calls it "inner circle." NC president K P Bhattarai had expressed his sorrow over the fact that he had got the news of the dismissal of five of his party's cabinet ministers by Prime Minister Koirala during 1991-94 period through Radio Nepal. Similarly, G M Singh, the Supreme Leader of NC had repeatedly complained that his party's central leadership had not maintained transparency in their behavior. The absence of a system of transparency within the NC had led to the division of the party into pro-Bhattarai and

pro-Koirala camp. In the same way, the CPN-UML and the RPP were also split. The source of income and expenditure of the political parties are not made public and their accounts are not audited.

#### ***d. Transparency in economic sector***

The present political system has never maintained transparency in its economics especially in the field of foreign aid, tax and trade. The government, except the annual budget has not made transparency in the field of economy, aid, loans it has taken from various sources, so on. Even the annual budget presented in the parliament has been known to change during implementation. Importers have been surprised to find ministry circulars ruling over the publicly announced customs provisions during budget announcements while paying duties on their imports. In simplest terms, the people who have to bear the burden of the so-called soft loans must have the right to know what they are going to do. In other words, the debt-payers must know why, how and when, the government had taken the debt and from where, in what conditionalities and for what duration and reasons.

#### ***e. Transparency in bureaucracy***

The civil servants have shown no transparency in their business. Only a few urban elite monopolize the public access to government information. The politicization of the bureaucracy and the "bureaucratic irresponsibility" have led to the development of non-transparency. Politicians and bureaucrats often treat the public indifferently and even with contempt.<sup>14</sup> The system of transparency is directly challenged in the administrative field especially in the field of recruiting and promoting of the chiefs at government offices, project offices and particularly the general managers of the government owned corporations. There is no fixed or determined system of criteria for them, meaning that there is no transparency in their appointment.

#### ***f. Transparency in national and international issues***

The government media and authorities inform the people very little about its role in UN and other international fora and issues in which Nepal is involved. Similarly, the government has also maintained strict secrecy in most national issues, informing people about them only after they turn into scandals. Most of the scandals of the RNAC eg plane hiring, purchasing, and the alleged involvement of the prime minister in some scandals were caused due to the lack of transparency in RNAC's transactions. The criteria of tender, and the system of purchasing and hiring a plane is not known to the people. The issue of Tanakpur treaty was made public only after the court verdict. There are many more.

### **Challenges**

For the successful realization system of transparency, certain preconditions are needed which include certain level of education, sound economy, secure society, enlightened and cultured citizens, vibrant civil societies, right to information for all citizens, an independent judiciary, free media, openness in the activities of the political parties, rule of law and free, open and competitive election system etc. Constitutionally, Nepal has followed the global democratic values like fundamental and human rights, liberty, equality, fraternity and so on but in practice these values are little significant to the poor, the marginalized and the unprivileged minorities. In a transparent political system, the people is always considered as an end in itself and the state works as a means to serve them honestly and impartially. On the contrary, the people have just become a springboard of their leaders to propel themselves into power every five years. In promoting the system of transparency and accountability, cabinet, parliament, political parties and the court have to play key roles as ideal models in the following ways.

Elections in open pluralistic society are an integral part of transparency and good governance. Elections are supposed to make the elected representatives accountable and responsible to the people. The holding of fair, free and competitive elections is an important factor in democratic societies. But electoral malpractice and the lack of public confidence in the impartiality of elections pose a serious threat and challenge to democracy itself, let alone transparency, in Nepal.

Culturally speaking, the Nepali society is somewhat against the concept of transparency. The Nepali traditions are not supportive to the values of openness in public official behavior even among actors within the system. The Nepali rulers "have seen little need for an informed public for the success and security of

the regime."<sup>15</sup> The psychological and cultural dimensions, thus, pose a serious threat to concepts like good governance, civil society, transparency and accountability.

The constitutional and legal provisions also discourage a transparent behavior of the executive- from the prime minister to civil servants. The ministers including the prime minister according to Article 40 have to take their oath of office and secrecy. The constitutional authorities too have to take their oaths of secrecy in a specified format. Civil servants, under the Civil Service Act 2049, have to strictly maintain secrecy in their conduct. There is a practice of keeping some information secret - "the so called state secrets" but in order to encourage the system of transparency, special legal provisions should be made to demarcate a clear-cut boundary about which information should be kept secret. Besides, the debate should be put forward regarding whether the public servants, who have taken the oath of secrecy, under the Civil Service Act should be given opportunity to join political parties and revealing state secrecy therefore.

As an important instrument of governance, the political parties have to play a constructive role in creating a positive environment for the realization of the system of transparency. In order to make political system open and transparent, the constitutional ideals especially mentioned in Parts 3 and 4 have to be strictly followed by them. Transparency is also largely decided by how much the political parties are transparent in their entire financial dealings and the decisionmaking process including the candidate selection process during parliamentary elections. During 1990-2000, most of the political parties, except the Maoists and the Nepal Workers' and Peasants' Party (NeWPP) had a taste of power but they showed little transparency.

The political leaders, businessmen and bureaucratic elite are psychologically and mentally not prepared to be transparent and open in their transactions just to protect their personal interest. The non-transparency in their behavior provides them with greater opportunities for corruption and illegal monetary benefit. The politicization of crimes and criminalization of politics are the resultant effects of their non-transparent behavior. The corruption-prone mentality of the administrators and the politicians itself has become a serious obstacle for the realization accountable governance.

The role, responsibility and capability of the spokespersons of the various ministries appointed for the sake of transparency have not been clearly defined. Moreover, the criteria, norms and their actual role in dissemination of information have not been properly outlined. The ruling party and its government's excessive control and influences over the electronic media during the past ten years has debarred the participation of the private sector, although this sector has shown keen interest.

Due to factional rivalries within the political parties, the growing trend to oust the government to have one's own hand and unclear, vague and misleading visions of most of political parties have led them to be non transparent in their behavior. The press has to play a key role in unearthing and revealing unnecessary or excessive of the government but the "partition-ed press" associated with political parties often serve as their "mouth piece" failing to provide impartial news and views to the people. This has compelled the Nepalese people to look for alternative sources of information from the Western media, particularly BBC and CNN.

Some legal complications and complex official procedures also discourage simplification of issues and procedures to be understood by the public at large. Mass illiteracy and civil unawareness have further complicated the situation. In the absence of proper financial procedure and proper audit system, economic transparency has not been maintained in most sectors. As the AG has only recommendatory power over the misuse of funds and economic irregularities, it cannot take action against the abusers and wrong doers. As a result, despite the growing irregularities shown by the AG and PAC, the concerned ministries and departments do not seem enthusiastic to rectify them. "If such irregularities are not sorted out soon, the wheels of the economy will not spin fast enough, and the payoffs will not be delivered to the citizens."<sup>19</sup>

Lack of transparency in the CIAA is another challenge in this direction. Unfortunately, "it is difficult to tackle the spreading virus of corruption and irregularities when the bulk of the cases filed by the CIAA on charges of bribery, corruption, irregularities and misuse of power and authority are dismissed by the court for lack of corroborating evidence asserting the belief that corruption and malpractice in Nepal could spiral out of control."<sup>20</sup>

## **Solutions and suggestions**

In order to promote and strengthen the culture of transparency and to institutionalize transparency, accountability and responsiveness towards electorate and to treat the challenges faced by nation in these directions, several suggestions can be put forward. First, for guarantying the constitutional right to information of every citizen, the enhancement of a separate and detailed freedom of information Act and its effective implementation has become an urgent need. Second, with a view to create a favorable environment for the system of transparency and to provide impartial, non-partisan, timely and fact-based government information to the people, the media and the press, including those owned and controlled by the government should be given complete autonomy. The government media and the press should not monopolize them in discrediting the opposition and propagating the ruling party's misinformation.

As an effective system of transparency bridges the widening gap between the ruler and the ruled, between the powerful and the powerless, between the government and the opposition and between the electoral and their representatives, the culture of transparency has to be encouraged in every walk of life including in bureaucracy and political parties. Without a system of transparency, it becomes difficult to combat corruption both in political and administrative fields. Timely amendments in the constitution, laws, bylaws, rules and regulations, that discourage the concept of transparency, accountability, good governance, need to be carried out. Besides, the people should be given civic training related to democracy and governance, including transparency and in accountability. The system of transparency should be maintained in the transactions of the cabinet, ministries, parliament, the courts, the constitutional bodies, political parties and other public offices. There is lack of transparency also in civil society sector. The Social Welfare Council, which is supposed to deal with them officially, has no official record of their activities; how much amount they have received and spent. Therefore, their activities should be made transparent.

The political parties should strongly commit themselves to the spirit of transparency and their income and expenditure must be properly audited. For promoting transparency and combating corruption and financial irregularities, appropriate laws should be enacted to empower it. "The weakness of the CIAA, the Special Police Department (SPD) and the AG's office has been eroding the ability of the political dispensation to maintain financial integrity in the country. Correction of the economic woes, mismanagement, corruption and the profound social inequity thus remains in a limbo."<sup>21</sup> "The delegation of financial power carries with it a requirement to report on how the given resources are allocated, utilized and misused. The AG should, thus, be empowered for ferreting out irregularities and stiffening the spines of accountants in demanding explanations for improper accountings from concerned ministries, departments and corporations."<sup>22</sup> The AG should be empowered to work as an all-powerful economic court to deal with economic irregularities and should be given complete authority to punish or take strong action against those wrong doers.

Similarly, the PAC, should remain active and the PSC must be given autonomy to work as an independent recruiting body. It is also essential to have a transparent procedure in the working of the constitutional bodies including the Constitutional Council and the Judicial Council. The committee system in the parliament must be activated and their activities made transparent. In order to be transparent in the real sense, the language of public information, especially in the constitution, law, rules and regulations, must be simplified so that less educated people can understand. "The case of the executive bribing the legislatures", acceptance of material benefits and privileges of various kinds offered to the parliament by the legislature should be discouraged and the latter should work as the watchdog of the executive on behalf of the people.<sup>23</sup>

The constitutional provisions on the right to information and the press and publication right are not enough to realize and promote the concept of transparency, accountability and good governance. Free and compulsory education, mass literacy and civil awareness as outlined in the directive principles of policies of the state in Part 4 of the Constitution needs to be cultivated. The civil societies must be strengthened, among other things, to bridge the communication gap between the people and the government and pressurize the latter to provide accurate, timely, impartial and fact-based information. Simplification of formal procedures and adoption of less time consuming processes is a must in this direction. Policies should be formulated according to national needs.

In order to develop transparency in the COM, the agenda for the discussions must be prepared earlier and necessarily distributed to all the ministers for extensive and free discussions. The decisions of the cabinet must be brought regularly before the public. The public's access to government information, especially in remote villages is scant. In order to provide timely information to the rural poor, a radio set and at least a

copy of government newspaper should be sent to every Village Development Committee.

The CIAA should be made capable of taking swift remedial action against the culprits and tighten the institutional arrangement with branch offices opened in all 75 districts. The PAC has to play an important role in making the "functions of the executive transparent through scrutiny of the entire budgetary process so that looting the public wealth for private profits becomes difficult." Reform in the financial bureaucracy to orient it towards effective public sector management is essential.

## **Conclusion**

The concepts of good governance, transparency and accountability are new, they have not been effectively implemented in practice though the Constitution of the Kingdom of Nepal, 1990 provides enough room for them to flourish. The lack of political will on the part of the elected leaders, especially those in power, and the bureaucrats and the absence of laws have posed serious challenges to the system of transparency. Transparency is lacking in the activities of the parliament, COM, constitutional bodies, bureaucracy and other public bodies. The system of transparency would certainly be promoted if the public access to government information, including the press and publication rights, were realized by the people including the rural poor. For the rural poor, the government has to make special provisions for providing them education so that they can understand about transparency, good governance and accountability otherwise these concepts are meaningless to them.

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## **Bureaucratic Corruption - A Major Challenge** - *Shyam Kishore Singh, Ph D*

Bureaucracy, a body of full time professional administrators organized hierarchically in departments, has come to stay as an indispensable instrument of all governments and it remains a merit-based non-committed institution. Relevant qualifications alone are supposed to be taken into consideration by civil service commissions regardless of race, creed etc., and decisions are supposed to be taken rationally, on the merit of cases.

Max Weber in his 'essay on sociology' has pointed out, "The civil servant is appointed by a higher authority, normally for life. They are remunerated in money, with a fixed salary and the right to a pension. The civil servant counts on a civil service career with a prospect of promotion; according to the rules of seniority subject to specialized qualifications required for a particular office". The idea of Max Weber is possible only in advanced economy nations. Technically, the bureaucracy is more perfect than any other form of organization. The system aims at accuracy, quickness, written records, continuity, desecration, uniformity, strict hierarchy. One of its principles is that all cases are dealt with objectivity according to calculable rules without respect of persons.

Bureaucracies, for the sociologists, are goal-oriented organizations based on a clearly defined division of labor, whereby each job in the organizational chart is spelled out in detail. The chain of command is carefully specified, and people are assigned jobs on the basis of their objective qualification to fulfill them. Individuals are expected to have full loyalty to the organizations and are supposed to be motivated to advance the theory of ranks. Even the top managers of a bureaucracy are appointed rather than elected. But usually, above the managers sits a cabinet minister or a board of trustees who are there, in a sense, to represent the interested public- that is to remind officials that the organization has certain goals and to find out, now and then, what is being done to achieve them.

Bureaucracy in a transitional society is the anti-thesis of aristocracy. It is a middle class concept, the basis of obedience to its authority being law and contractual principle- not personal loyalty which was the foundation of the aristocracy entitled to obedience, through traditionally recognized social position based on birth. The history of bureaucracy in Nepal is not very old. At present, the entire machinery of the Nepali bureaucracy is under fire and charges of corruption are leveled against it. Besides corruption, its efficiency and competence are also questioned. The entire civil service, the police administration and all of the public sector have been politicized. Promotions, appointments and transfers have been made on a large scale on the basis of nepotism and prejudice. Before going into detail, it is essential to examine what corruption means.

In everyday life, corruption is taken to mean that a public servant abuses his official power in order to procure for him an extra income from the public. We call a public servant corrupt if s/he accepts gifts from a private person with the objective of receiving special consideration. Demanding such gifts or favors in the execution of public duty may be regarded as corruption. Indeed, the term is sometimes also applied to officials who use public funds they administer for their own benefit. The specific feature of corruption in its most usual sense is that it involves two or more parties. It also covers favors from third parties accepted or demanded by an official on behalf of members of his family or party, or of other personal connections. This is only a form of corruption even if he does not directly benefit either financially or otherwise.

Corruption is an extralegal institution used by individuals or groups to gain influence over the actions of the bureaucracy. The Oxford Dictionary has defined corruption as "perversion or destruction of integrity in the discharge of public duties by bribery or favors; the use or existence of corrupt practices, especially in a state, public corporations etc." In the same way, a contemporary social science dictionary has elaborated the term thus: Corruption, while being tied particularly to the act of bribery, is a general form covering misuse of authority as a result of consideration of personal gains, which need not be money. A public officer is corrupt if he accepts money or money's worth for doing something that he is under duty to do anyway, that he is under duty not to do, or to exercise a legitimate discretion for improper reasons.

In Nepali bureaucracy, corruption has always existed since time immemorial. It expanded during the Panchayat days, but its dimension has increased even after the restoration of the multiparty political system. It is growing. In other words, it has taken the institutional form, and any one who ventures to eradicate it from the society has to fight with the soul of the nation. It seems that people have accepted it as a part of everyday official life. The prominent seat of corruption is at the top. Party politics has led to a spoil

system, which is totally dependent on donations by big businesses or groups and plunder of the national treasury.

There is widespread impression that lapses in integrity are not uncommon among ministers, and that some ministers upholding office during the last six years have enriched themselves, illegitimately obtained goods, provided foreign jobs for their sons and relatives through nepotism. Political parties and their leaders are motivated primarily by their desire to gain access to the positions of power and to hold on to those positions as long as possible. In order to attain this objective, they tend to resort to all sorts of means, ethical or otherwise, such as politicization and overstaffing of bureaucracy and lopsided development programs to reward their constituencies<sup>1</sup>, primarily with a view of strengthening their hold on the administration by providing jobs as rewards to loyal party men and supporters for services rendered before, during and after elections. The question is not about which minister is corrupt, rather which minister is not corrupt. Leaders of the democratic system are not any less corrupt than that of authoritarian Panchayat system. As a result, the people do not have a positive impression of political leaders.

All political parties, big or small, have been tainted by corruption in some form or the other. It is difficult to believe that the leaders who are in government do not know such a shameful situation exists. Meanwhile, new forms of corruption are emerging every day. In addition to bribery and kickbacks, some Red Passport holders have found that the diplomatic privileges fetch money and have used them to smuggle people to other countries. Both former and existing ministers admit openly that they have committed corruption. Even then the institutions which should have taken action against them are helpless.<sup>2</sup> Political ideals and values have been trampled upon. Immorality, smuggling, murder and abuse of authority have become the order of the day. The game of power is played in every manner. The MPs have lost their prestige because of their tendency to plunder the resources of the nation.<sup>3</sup>

The spread of corruption among minor officials is understood to be the consequence of the deteriorating moral standards aggravated by some politicians and high officials. Political intervention is a routine affair in the administration. Current laws are not adequate in managing the bureaucracy well. Moreover, politicization of the bureaucracy has created many problems. Employees are divided along different political lines. Ministers have acquired so much power that extensive reshuffles are carried out in the bureaucracy each time the cabinet is changed.

The number of civil servants has increased significantly, and, in turn has led to serious underemployment of civil servants. Since the salary levels are not enough in to sustain the livelihood of the civil servants, there is a temptation to seek all sorts of supplementary remuneration. The extremely low living standards imposed by the salaries find a worse ally in the demonstration effect emanating from the luxurious way of life of certain groups like the new class of political leaders, high ranking civil officials and expatriate workers. They think it is because of corruption in various forms that workers and bureaucrats who were unable to earn a living ten years ago are now owners of palatial buildings in Kathmandu happen to be politicians.<sup>4</sup>

There is the general tendency that those vested with official authority and power very often exploit their position in order to make a gain for themselves, their family or social group; whether that position is high like those of a minister, member of parliament or a superior official.

It is said that whenever discretionary powers are given to officials, there will be corruption. This is corroborated by an Indian report, the Santhanam Committee Report, which says "where there is power of discretion, there is always the possibility of abuse, more so where the power and discretion have to be exercised in the context of scarcity and controls and pressure to spend public money.<sup>5</sup> In Nepal too, discretionary powers are given to different officials who have to exercise them under the situation of urgency and sometimes even of pressure thereby helping for the growth of corruption.

A corrupt act represents a failure to achieve the desired objectives of the government. If the objective of hiring a government employee is to obtain efficiency and ability in carrying out official tasks, then corruption in appointments produces inefficiency and waste. Far worse, appointments are known to have been done without advertising the vacancies, giving no room for competition in the selection of new employees. Even in the university appointments both the merit and seniority which are considered as the soul of the university's functioning are bypassed. Every year more than two hundred appointments are made without any advertisements, based on party lines irrespective of their ability and merits.

Corruption raises the cost of administration. The man who is both taxpayer and also forced to submit to bribing has paid several times for the same service. If corruption takes the form of a kickback it serves to diminish the total amount spent for public purposes. It represents a diversion of resources from public purposes to private ones. It feeds upon itself and erodes the courage necessary to adhere to high standards of propriety. It helps in the decline of the morale of workers, each man asking himself why he should be the sole custodian of morality. Corruption also lessens the popular faith in government. In that case the legitimacy of the government will be thrown into a crisis. Corruption also causes decisions to be weighed in terms of money, not in terms of human need. The poor man with an urgent and just request gets little if any sympathy.

### **Attempts to combat corruption**

The Commission for Control and Investigation of Abuse of Authority (CIAA) was established by the Second Constitutional Amendment (2032 BS) and its continuity is allowed by the existing constitution also. Two years ago the commission had no authority to investigate the charges of corruption against any ministers and high-ranking civil servants without prior permission from the prime minister. With the declaration of the limitation posed on it by the Supreme Court as *ultra vires*, the commission became active within its limited scope. The commission had summoned the then Agriculture Minister Padma Sundar Lawati, the then Agriculture Secretary and seven others to appear before the court in order to give clarification regarding the charges of irregularities committed by them in the procurement of fertilizer and finally it filed a law suit against them in the Appellate Court of Lalitpur.<sup>6</sup> But the court dismissed the charge of corruption filed by CIAA against them.<sup>7</sup> On 27th May it filed a law suit against Hong Kong Rana, former GM to Royal Nepal Airlines and other two members of the Board of Directors for the loss of 783,750 US dollars on the pretext of leasing an aircraft. In the same way, the commission filed a law suit against the former Chairman of Dairy Development Corporation and others of Pashupatinagar Cheese Factory.<sup>8</sup> The commission also filed a suit at Janakpur Appellate Court charging the former GM of Janakpur Cigarette Factory Gopal Prasad Shrestha for having caused a loss of Rs. 11.5 million to the factory by purchasing tobacco through quotations at a rate double the one offered in tenders.<sup>9</sup> It has become routine for the commission to prepare cases and file law suits only to face dismissal.

According to a report submitted to the home minister by the committee formed to probe into the red passport scandal, abuse had taken place at a large scale. The committee had recommended the formation of a high-level commission to conduct further investigation and punish the guilty.<sup>10</sup>

Besides the Commission's effort, government had invited two experts of Transparency International to make recommendations for the eradication of corruption. The recommendations was that the ministers, MPs, heads of the constitutional bodies and other high ranking officials of government should submit statements of the property owned by them and their family members on a regular basis from the time they assume office until they retire. Agencies responsible for investigation into cases of corruption and abuse of authority were also recommended to be strengthened.<sup>11</sup> The statements of property have started appearing in national newspapers at the time of their joining the office, but no concerning statements have been given by any ministers after their retirement. This effort is not working the way it was intended to.

### **Concluding observations**

Corruption in Nepal is chronic. Many efforts have been made to arrest it but there is a little success. It is spreading by leaps and bounds and it has infected the entire political and administrative machinery of the nation. For its eradication, it has become necessary to promote the idea of competition and transparency in every sphere of administration. Special attention should be given to the education system of the nation. Our education system is fast moving towards total collapse. University affairs should be managed on the principle of merit and seniority. For the enhancement of civic virtue, morals and integrity need to be imparted to students through moral science, at least, up to the high school level.

It is a fact that once an area of administration has been politicized, it is virtually impossible to reverse the process. Each new administration feels it is entitled to the same political control as its predecessor and members of parliament and political parties resist any reduction of their opportunity for influence. With a

view to checking corruption at the political level, political leaders should find out ways to provide public funds to the national parties to meet the election expenses. In this regard the election commission should be equipped with enormous power to examine the validity of the sources of funds and expenses of the political parties during the time of election.

There is a great need to make the CIIA a strong and effective working institution with the formulation of separate law and separate court for the purpose of investigating crime and imparting punishment to the corrupt. The decentralization scheme should be implemented properly with a clear-cut definition of the scope of power and authority of the administrators from the top to the bottom. Lastly, career executives need to be responsive to their political employers they need to think about the proper operation of the government they work for as well. While we expect career executives to be responsive to political leadership, at the same time we expect them to resist illegal and unethical direction from above.

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## **Awareness on Transparency and Accountability - Kalyan Dev Bhattarai**

There was great euphoria in Nepal in the early 1990s after the janaandolan (people's movement) restored multiparty democracy. The success of the janaandolan not only demolished the authoritarian Panchayat system - in the name of which the King ruled the country for 30 long years with absolute power but also provided great hope to the people that a better and prosperous nation would be built. All political prisoners were freed, provisions were made for a free press, new political parties were reopened, fact finding commissions were set up to probe into the past, and a lot of other things were happening to show that the past had been clearly put behind to begin on a new slate. In fact, a new constitution was being formulated. There was a whole new set of leadership consisting of politicians who had a clean and democratic image. There was an impression that the Nepali people had taken their destiny in their own hands and the breaking out of a new era seemed inevitable.

But unfortunately the optimism was short lived. Within a very short period, politicians started to show their corrupt faces by fulfilling their lust for money and power. Even new rules and laws formulated were motivated by private gain to grab the country's resources. Unlimited amounts were distributed to relatives and followers of the leaders in the name of politics. The ruthless exploitation of the public support and the breach of trust became a regular phenomenon. Right from releasing of jailed murderers, smugglers and clearing their confiscated property to selling government owned corporations became an opportunity for political leaders to make some money. This not only shattered the hope of people of a better future, but also provided a solid base to create an atmosphere for anarchy in the country. As a result, an environment of apathy to the present political system has started to take hold. Some of the evidences of our miserable failure is briefly discussed below.

### **Causes of Corruption**

#### ***a. Weak democratic institutions***

Thirty years of nonparty Panchayat rule had virtually uprooted the democratic institution and its norm that existed even though in weak form during the pre-Panchayat period. The tragic reality is that even after the restoration of democracy none of the leaders and political parties have given any importance to strengthening of democracy. On the contrary, politicians have tried to limit democracy to rhetoric only while at the same time they have tried their best to grab power through autocratic means. Even the parliament saw its worst moment when its members were being bought and sold during the mid-90s when the country saw coalitions of all hues ruling the country, as there was no clear cut majority of any party in the parliament. The horse-trading was so intense that parties had started confining their parliamentarians within hotel compounds only to release them at the time of voting in parliament to prevent floor crossing. It even looked quiet natural and routine when the speaker of the house attended his party's central committee meeting and misused the speaker's office to fulfill the party's decision.

The hunger for power was so intense that there were several attempts to use the constitution to favor the ruling party. The house was dissolved and mid-term election announced just to remain in power. The Supreme Court had to intervene by quashing the otherwise prime ministerial prerogative two times. Even during elections, it was not programs and policies of political parties that ensured victory. Money, goons, guns, and misuse of power became the most important factor to win an election. All these clearly show that the political leaders that people had pinned so much hope upon did their best to weaken the democratic institutions for their personal benefit.

#### ***b. Violation of human rights***

It can be said without any hesitation that the Panchayat period was a period of violation of human rights and a period of barbarism. It was this reason that it propelled everyone to take part in the 1990 janandolan, to get rid of the Panchayat system. But even today, that after the restoration of democracy, the status of human rights has not improved. The excessive police firing of 1991, killings by police beating, the brutal "lathi charge" on a peaceful demonstration of blind people, women, students and members of bona fide political organizations and arresting of innocent people gathered to attend various meetings were cases not of the Panchayat years, but events that took place after 1990. The impunity that present-day corrupt politicians enjoy is the main reason for the deteriorating human rights condition of the country and the increasing magnitude of barbarism of the concerned authorities.

### **c. Unsustainable development**

After the completion of eight five year plans, the number of people who are forced to live in poverty has increased. At present more than 50 percent people live below the poverty line and only a few have been able to live a luxurious life style. The disparity that exists in all the social, economical and political aspects of life is not only so glaring but widening every day and is the main cause of the public dissatisfaction noticed in the present day politics. Based on the country's slow progress, we should redefine development which should be engineered to harvest our own resources, capabilities and technology, only then will it be sustainable and fruitful.

### **d. Debt trap**

After restoration of democracy the foreign loan has increased many times from 12 billion to 122 billion rupees. Nepal is reaching a point where it has to take loans to pay the schedule interest of previous loans, an indicator that the nation is falling into a debt trap. The moral bankruptcy of present day politicians and bad management of the country's resources give little hope for progress.

### **e. Human development status**

Different people are presenting human development status in different ways. There are many indexes like the Human Development Index (HDI), the Gender-sensitive Development Index (GDI), the Gender Empowerment Measure (GEM), the Capability Poverty Measure (CPM), the Human Poverty Index (HPI) and the Human Deprivation Measures (HDM), (based on life expectancy, educational attainment and income) and etc., none of which show that Nepal is doing well. The 1996 HDI value for Nepal as a whole was 0.378, indicating a very low level of human development. Nepal's 1996 HDI, when compared against the 1994 HDI values for 175 countries, comes out in the 154th position. The absolute value of Nepal's HDI is only 45 percent of the global HDI. Within the South Asian Region, all countries with the exception of Bhutan and Bangladesh are better placed than Nepal. The HDI of Sri Lanka is more than double that of Nepal.

### **Gender sensitive development index**

Gender disparity has been one of the most widespread and persistent features of Nepal. This new measure, the GDI, portrays gender disparities in basic human capabilities. It works with the same components and indicators as the HDI, but focuses on comparing the attainments of women in relation to men in a given condition. Within South Asia GDI for Sri Lanka is 2.5 times than for Nepal while India's GDI value is 1.5 times higher. In Nepal women are found out to be in an equally disadvantaged position. The magnitude of gender disparity is similar in rural as well as urban areas. The GDI/HDI ratio is an approximate indicator of the depth of gender disparity. For all the districts of Nepal the value of GDI is less than HDI. In a large majority of districts there exists a glaring disparity between men and women in the levels of capability. Yet women's deprivation may not always be linked conveniently and invariably to deprivations in health, education, and income alone. The GEM introduced in the 1995 HDR, seeks to look at gender deprivation against an additional perspective -that of participation and empowerment. GEM focuses on the participation of females in economic, political, and professional spheres as a means of their empowerment. GEM calculates participation by aggregating three class of variables; gender adjusted per capita income in PPP dollars, male/female shares in professionals/technical and administrative /managerial jobs and male/female share in parliamentary seats. Women's share in administrative/managerial and professionals/ technical jobs is used to measure women's access to professional opportunities and participation in economic decision-making. Similarly, the share of parliamentary seats is a surrogate of access to political opportunities and participation in political decisionmaking.

### **Capability poverty measure**

In 1996, the HDR developed the CPM as a "multidimensional index of poverty focused on capabilities" wherein deprivation is reflected in a lack of basic human capabilities rather than in the levels of lack of welfare. CPM draws attention to a set of capabilities which are basic for human functioning: Capabilities to lead a life free of avoidable morbidity, to be informed and educated and to be well nourished and able for healthy production. CPM is a simple index which gives equal weight to these three indicators namely, the percentage of underweight children under five, the percentage of births unattended by trained health personnel and the percentage of illiterate female adults to measure capability poverty. CPM assumes that "one basic capability is not substitute for another that is lacking". The level of Capability Poverty in Nepal is

very high compared to the levels for Sri-Lanka and the Maldives. Only Bangladesh is poorer in capability than Nepal.

A juxtaposition of capability-poverty with income-poverty shows that income-poverty underestimates capability-poverty at the national level by two-thirds. More intuitively, and despite the high incidence of income-poverty in Nepal, people are much more capability -poor than income-poor. Significantly, People are relatively capability -poor as one ascends the income scale: Capability poverty is relatively higher precisely in those area which are better off in terms of income, e.g. in the urban areas, central Hills and Tarai where capability-poverty/income- poverty ratios are highest. This clearly indicates that under the existing economic, political, and cultural arrangements access to economic resources alone will not significantly enhance human capability formation. Consequently, major reorientation in politics and practices at various levels, including at the levels of the state, market, district communities and households is needed.

### **Human poverty index**

The HPI is an extension of CPM and brings together different components of deprivation in relation to the quality of life. HPI is the obverse of the HDI and, hence, they are interpreted in terms of deprivations rather than in terms of capabilities attained. The first deprivation relates to lack of opportunities for survival which has as indicator the probability of not surviving to age 40. The second deprivation is lack to access to knowledge indicated by the percentage of adults who are illiterate. The third deprivation is lack of opportunities for a decent standard living, with particular focus on malnutrition and hunger indicated by an unweighted average of the percentage of people without access to health services and to safe water and the percentage of malnourished children under five years of age. HPI is calculated as the unweighted mean of these three categories of deprivation. The value for HPI for Nepal is highest among South Asian countries. The level of human poverty in Sri-Lanka for instance is only 40 percent that of Nepal. The magnitude of human poverty when desegregated, is highest in the mountains followed by Tarai and hills. Among development regions, human poverty is lower in the eastern development region than elsewhere. The values of the HPI clearly support that reducing income-poverty is not sufficient to improve human capabilities and functioning .

### **Human deprivation measure**

In most societies, deprivation is distributed unequally and the main burden of deprivation is borne by women and children rather than by men and adults. In order to measure deprivation among the under-privileged strata of society, the Human Development Center, Islamabad, has recently developed a HDM. HDM like the CPM and the HPI, is an obverse of HDI and focuses on the same three indicators -health, education, and income. However, HDM is interpreted in terms of deprivation suffered particularly by children. HDM is based on three variables: health deprivation, measured by access to safe drinking water and by underweight children under five years of age, education deprivation, measured by adult illiteracy and children out of school and income deprivation, measured by the lack of minimum income needed for the basic necessities of life. Since HDM includes the measure of income poverty, it has been claimed that it is more representative, realistic and broader than CPM or HPI.

### **Cost of corruption**

In general the word corruption is commonly applied to a situation of dishonesty. However in a broader sense "Corruption involves behavior on the part of the officials in the public sector, whether politicians or civil servants in which they improperly and unlawfully enrich themselves or those close to them by the misuse of the public power entrusted to them. To tell the truth, corruption was not the out come of the democratic system but was established and boomed during the thirty years of Panchayat system. However the tragic reality was that; even after the restoration of democracy corruption not only continued but was institutionalized, and considered no more an illegal or criminal act but acquired an honorable status. It became a source for political parties not only to run the parties but also for fulfilling the unlimited hunger for money of politicians.

Ministers and prime ministers, through interviews and statements in parliament have all accepted that corruption exists and that gold and narcotics smuggling is being done with ministerial participation. Throughout the 90s, corruption became so rampant that from promotion to appointment, selection of

members of parliament to nomination of ministers have been reportedly done bearing money in mind. Reports about promotions and transfers done by receiving money by those in power are published in newspapers every other day. Thus corruption has not only been legalized and institutionalized but also systematized and patronized by politicians. Even donor agencies are said to have been taken into confidence to ignore corruption and many INGOs and NGOs being created with the sole objective of embezzling donor money.

At the conceptual level, there are many costs associated with corruption. However, it is hardly surprising that there is little evidence on the incidence and magnitude of corruption. Sample surveys indicate that the problem varies within countries. Some public agencies, like customs, tax collection, police are more prone to corruption than others. Where corruption is endemic, like in Nepal, it imposes disproportionately high cost on small businesses.

Once a pattern of successful payoff (In Nepal 15 percent minimum) is institutionalized, corrupt officials have an incentive to raise the size of bribes demanded and to search for alternative ways to extract payments. Officials refuse to serve clients unless a bribe is paid. Since corruption affects recruitment and promotion patterns, the most efficient employers may not be recruited at all and the allocation of position may be inefficient. Analysts have concluded that corruption has a deleterious effect on administrative efficiency and political economic development. Further, corruption introduces other kinds of inefficiencies into the public sector like: corruption represents a rise in the price of administration, causes distortion of allocation, influence the administrative apparatus, obstruct development, represents institutionalized unfairness, raises the cost of goods and services, increases the debt of the country, and so on.

Corruption in Nepal has continued unabated because the political culture have remained largely unchanged even after the 1990 janandolan. The politicians have been known to consider their activities as an investment and collect not only their investment but the interest also through corruption, whenever the opportunity comes to be in power. Political parties are supposed to be organizations that control their own membership and seeking political rather than financial profit. On the contrary, in Nepal it is just the opposite and the political parties are ready to sacrifice every political agenda and ideology for the sake of financial profits.

It is expensive to run political parties, they need money for office, staff, and to communicate with the electorate, if they are to stand any real chance of galvanizing support. They require adequate funding for election expenses and to monitor all aspects of the election process to assure themselves that the election process is being conducted truly and fairly. The funding process of Nepalese political parties is not transparent and none of the political parties discloses the source of their money.

## **Anticorruption measures**

### ***a. Awareness .***

Awareness is a basic element that is absolutely necessary to bring about changes in yourself and to know what is good and bad and to make comments or to react on the various activities of the society. But the problem is that how to create awareness in those people who are illiterate, with limited or no opportunities and who are isolated in their remote villages. One more problem is that how to activate those who are already aware due to their education, knowledge, and exposure but are still non reactive and do not change themselves for the benefit of the country and countrymen. It is not that this second category of people does not know the difference between good and bad, wrong and right, moral and immoral, unlike the real unaware people of the remote village. But to bring changes on the second set of people is very difficult. The janandolan of 1990, which brought major political change in the country was unable to bring substantial awareness to the intellectual society. All the political crises that were faced by the nation during the last ten years were all due to mismatch of the behavior of political actors -who belong to the second set of people. The unnecessary rift between politicians within a political party -the disintegration of the political parties due to personal ambitions, and the instability created by these differences, not only failed to develop the nation but also created mistrust among the people. No political leader enjoys the kind of trust and respect that is required to lead the country.

Anticorruption campaigns requires fundamental change, which is not possible without massive support from

the public. Public understanding through awareness program on harms done by corruption needs to be brought about through awareness programs. The fact that the corrupt are stealing public money, the public's right to get the services and the public duty to inform when officials behave corruptly. Awareness in Nepal demand two sets of action- to make the unaware people aware, which is not a big problem provided the government is honest and has will power. And the next is to activate those who are already aware but are inactive. This second class of people being also the ruling elite of the society demand a well thought out and hard-hitting reformatory program. This however can not be expected to come from government side as many of them belong to this class. Here, the role of independent organizations like the Political Science Association of Nepal (POLSAN), Nepal Foundation for Advanced Studies (NEFAS) Transparency International (TI), Alliance for Democracy (AFD), etc will be very helpful.

### ***b. Transparency: political hypocrisy***

The public, it is often said, has a right to know. But does it have such a right, and if it does, should it? If it should, how would such a right be recognized, projected and given effect. Popular government without popular information or the means of acquiring it is but a prologue to a farce or tragedy or perhaps both. Unfortunately even after the restoration of democracy none of the political parties and their leaders showed commitment towards transparency in the way the country is run or even their parties are run. The right to information, even though protected by constitution, has proved to be non-functional unless people go to court to invoke the right even to get the minimum information that was supposed to be provided to the public by the government. There can be no democracy without freedom of information, because secrecy impedes the political education of a community and election choices are not fully known by citizens to respond meaningfully. Where secrecy prevails, it indicates that corruption and bribery plays an important role on decision making.

Transparency simply means openness in government and a system of values that promotes sharing of information and obligation among major public actors for what is traditionally called the public good. Transparency is not just a tool to fight negative political and bureaucratic behavior but also part of a vision of how a democratic regime is expected to function. In this sense transparency is the basic requirement of democratic government rather than just a feature instrumental in controlling corruption. In a democracy power balance is maintained through its distribution among the legislature, the executive and the judiciary and the key to the realization of the purpose behind these arrangements is transparency. There cannot be any check and balance if the behavior of any concerned institution is not transparent.

Transparency enhances the quality and effectiveness of public policy-making through open debate. Specially, in a country like Nepal where the integrity and capability of the political leaders are always in question, transparency is a must to get the required support from the public to any policy. Apart from its inherent merit, transparency, which promotes public participation in policy making, is an also a profitable tactic for good governance. Further, wider participation will command greater public acceptance. Transparency discourages unproductive and costly rumor mongering that often borders on conspiracy. Rumor, even when it is not a part of conspiracy, is a virus that thrives and multiplies itself in a society where the public has little or no access to what goes on in governance.

Transparency allows self-correction. No government is expected by the public to be perfect. No public policy can be foolproof in the sense of its capacity to resolve conflict or promote a system of priorities in the interest of public good. An uninformed public can neither support the policy nor can criticize it. If transparency is there, the public can provide a constructive feedback for necessary correction and adjustments. An informed public that is aware of what the government is doing and in a position to react intelligently is also a public which is high in self-esteem and therefore, an asset to democracy and development. Thus, transparency should be part of politics, the election process, behavior of political parties, activities of party leaders and party policies etc.

When the Constitution Drafting Committee prepared the draft of the present constitution, there were many positive elements of transparency but the then interim government changed such elements like the provision of showing income and expenditure of the political parties to be audited by a qualified auditor every year. Similarly, the provision of a referendum on special and major political issues was also dropped. The glaring result is that even today, after ten long years since the janandolan, none of the political parties have been able to show their balance sheet and expose the source of money to run their party. Even

agreements reached between parties to run coalition governments are kept secret from the general public. This provides enough to believe that such agreements are made not on the issue of the country's development or programs and policies for the people's benefit but are made on the modus operandi to share public resources for private gain.

### ***c. Accountability: political propaganda***

By the term accountability we understand that holders of public office are accountable for their decision and action to the public and must submit themselves to whatever scrutiny is appropriate to their office. However, in Nepal, this definition does not hold truth. Here holders of public offices hardly accountable or responsible for their actions and decisions they take. Here are some examples:

- More than 133 people died of starvation in Humla, Jumla, Mugu, Kalikot, Dolpa and Bajhang and nobody held responsible for these deaths.
- The government have accepted openly that they have to take decision under external pressure.
- There are many cases of human rights abuses both from government and the Maoist sides and action has not been taken so far.
- Ministers voted against their own government not for policy but for power. This led to MPs being hijacked, locked in hotel rooms and taken to foreign countries to keep them away during parliamentary voting.
- Many times parliamentary discussion were postponed due to quorum problem.
- The people's representatives passed the law to buy tax free vehicles only for themselves and few others and MPs were even collecting money by submitting false bills to the government
- A minister accepted that smuggling of gold through the airport was allowed for commission sake.
- Some MPs sold their red passport to smugglers .A committee was formulated for the finding details on this issue and about 50MPs who sold their passport was found out. However the government has not made public the report.
- On 2055 a high power committee was formed to provide suggestion on the control of smuggling. That committee reported that political leaders and high officials are involved in the smuggling racket. According to the committee report, the finance minister and secretary are the main culprits in such gold smuggling and other activities. But the report lies in some shelf.

### **Need for time**

Considering how corruption has eaten into the vitals of our society and sabotaged the dreams of the Martyrs and people who fought and sacrificed their life for democracy, controlling corruption has to be the primary item of governance. This seems to have been realized by one and all. In the inter-national stage, the Organization for Economic Cooperation & Development (OECD) convention on combating bribery of foreign public officials in international business transactions was signed on 17 Dec. 1997.by 34 nations. The convention obligates the parties to criminalize bribery of foreign public officials, including officials in all branches of government, whether elected or appointed. This prohibition includes payments to officials of public agencies, public enterprises, and public international organizations. On the contrary, in national front, the government curtailed the authority of the power abuse commission instead of making them more powerful.

The only and best way of combating corruption is to make it a "high risk and low return" undertaking . Unfortunately in Nepal it is a "high return and no risk" undertaking. The failure to combat corruption is mainly due to limits of power at the top, lack of commitment: to enforce law to punish the corrupt, ambitious promises leading to unrealistic and unachievable expectations, reforms that are "piecemeal" and uncoordinated, reforms that "overlook" those at the top and focus only on the "small fry", the failure to establish institutional mechanism, and the failure of the government to draw attention.

The strategy for combating corruption varies a great deal from country to country. But all over the world, the policy responses to corruption typically involve one or more of the eight pillars of integrity.

#### ***a. Public sector anticorruption strategies***

In a democratic country regulations to cover conflict of interest in the public service should be directed toward erecting and maintaining an administrative and management system to protect the public decisionmaking process. Such a system reduces the risk of corruption occurring in the first place. In a well-managed administrative system the incidence of corrupt practices would be minimized. However in a country where systematic corruption exists, significant civil service reform will prove elusive if corruption is ignored.

Fighting corruption requires a clear ethical commitment by political leaders wherever it occurs. In Nepal, political leaders are the main source of major corruption and thus combating through them is less possible. One of the key instruments for controlling corruption is the periodic completion by all in a position of influence of forms stating their income, assets and liabilities, with provision of heavy punishment for false information. Financial transactions need to be scrutinized and provisions made to make them public.

#### ***b. "Watchdog" agencies***

If Nepal is serious about fighting corruption it needs to establish a effective institution to carry out anticorruption measures. However, to operate successfully, an anticorruption agency must possess the following: commitment at the highest level of government, public participation, operational independence of investigating agencies with adequate power. The office holder of the anticorruption agency should be appointed by the parliament. Anticorruption agency must have power to freeze assets, travel documents those of suspects. The extravagant lifestyle enjoyed by any public officer should be considered as a sound evidence of corruption

The right to know is linked inextricably to accountability. Informed appraisal of government by the public, press and parliament is difficult, even impossible, if government activities and decisionmaking processes are obscured from public scrutiny. Freedom of information is enhanced through a free press that can serve as a powerful force to combat corruption in public life. The degree to which the media is independent is the degree to which it can perform an effective public watchdog function relating to the conduct of public officials. Most of the newspapers are run by political parties and their leaders and are more a party newsletter than independent sources of information. In the same way Radio and TV is virtually controlled by the government and acts as a propaganda medium of the government.

#### ***c. The role of the private sector***

The most compelling reason for companies to review their ethical behavior is likely to be self-interest. "Off the books" accounts, secret bank accounts, kickbacks, and using staff as "middlemen" all cultivate an atmosphere in which the bottom line justifies criminal activity. This is inherently dangerous. Such activities place the company and employees under big risk. In Nepal, such activities pay off handsomely simply because present day politicians, with few exceptions, are nothing but commission agents of big business houses and their main focus is to please their masters who fed them and clothed them during the Panchayat period.

#### ***d. International cooperation***

There is now an abundance of legal tools that can be used in fighting international corruption. But before they can be used, there are some basic requirements that must be met. If a country's domestic courts are seen as not being independent, or as corrupt, then it is unlikely that courts in other countries will respect its ruling on corruption or extradition. In a word, it is essential that the rule of law prevails and be seen to prevail if foreign mutual legal assistance is to be forthcoming. In Nepal, on the contrary, a person jailed on the charge of drug trafficking is released and tickets provided to participate in the general election and can

very well be made a minister. This shows the level of commitment of Nepalese leaders on combating corruption. Nepal requires many domestic reforms and other anti-corruption activities.

## **Conclusion**

A porter of "Chepang" a farmer of Sunsari, a house wife of Jumla, small shop owner of Dailekh and an ordinary citizen of Nepal cannot do any act of corruption. All the grand corruption to petty corruption that is taking place in the country is the outcome of the greed of the elite of the country. Therefore, the constitution needs to be amended in such a way so that the prime minister is directly elected by the public and he should get a minimum of 50 percent of the vote cast. Except prime minister no other member of parliament should be included in the cabinet. By doing so we will be able to isolate the present day politicians who are in politics only for private gain. The prime minister after getting the mandate from the people to rule the country for five years will make his cabinet from outside the parliament. This way the prime minister will not be dependent upon the members of any particular political party to get the confidence and support to run the government. Once the honest and high integrity members are selected as ministers more than half of the problems will be solved in one shot. Once the members of parliament are limited to their activities, those who are honest and would like the development of the country will take active part in politics and will do necessary homework to make rules and acts..

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lz]lff ; :yfx? v]f]bf To; sf]dh p2]o ; J]f, wd]j]f dgfknf s]x]f]e]g]k]z]g p75 . oxl k]z]g lxhf]s]nf0{ubf{Pp6f p0/sf] ck]ff ul/Gyof]eg]Toxl k]z]g cfhs]nf0{ubf{cs]p0/ cfp5 . lxhf]l]z]lffnosf]:y]f]kg]sf]k]z]s t]j ; fdl]hs r]g]f clej] [4, c]l]fg]t]l; tsf]n8f0 j]f wd]{sdfpg]0R5f h: tf lj rf/ x]ty]eg]cfh lj Bfnosf]:y]f]kg]nf0{cfly} nuf]g]sf]cj w]f/0ffaf6 x]l]G5 . sg ; s]fo, lj ifosf]lj Bfno, sn]h :y]f]kg]f ubf{k]nf0bf xG5 e]g]; f]f]f0af6 To: tf sn]h, lj Bfnosf]:y]f]kg]f ul/G5 . ox]f]nuf]gl / dgfknf]sf]cj w]f/0ffn]k]d]v :y]f]g cf]w]6}xG5 . cds lj ifo nf]s]k]k] x]g]lj]f gx]g]sf/0f To; lj ifoaf6 k]k]t x]g] cfly} k]l]tkm x]f]. p]b]x/0fsf]n]flu cfh h]l]tk]g l]r]l]st; z]f:q (Medicine) k9}lj B]f]y]k]? 5g l]tgn]; f]lj ifo 5f]g]sf] sf/0f lj ifout ?rl, lj /fd] ; J]sf]f]ej]g]f dfq c]j Zo kl]g x]f]g . a? 8S6/n]sdfpg]wg/fzl / p; sf]t]hg]f]ds cf]b]f]g] g] To; lj ifo kl]tsf]c]fs]i]f]sf]k]d]v cfw]f/ x]g'k5{. d]l]8sn 8S6/ k9f]pg]sf]n]flu bz]f]n]fv]sf]c]g]b]f]g l]b0G5 / bz]f]n]fv]sf]z]l]s aem]0G5 . of]Ps nuf]gl x]f]h; sf]k]l]tkm 8S6/ e]; s]k]l]5 p7f0G5 . w]j]o: tf lj B]fsf lj ifox? 5g h; df of]j]otf / c]l]b]og]l]z]ntf e]b]f j]9 nuf]gl ug{: Sg]l]fd]t]f / x]k] ot g} dh cfw]f/ x]g cfp5 . ul/] t/ h]x]b]f/sf]n]flu lz]lff l]f]g] bh]e lj ifo j]b]juPsf]5 .

Jofkf/l]n]dg]f]kn]sf]; f]f] /V5 eg]l]To]f]h]l]t :j fe]l]j s 5 Tol0s}c:j fe]l]j s xG5 olb u? j u]n]dg]f]kn]f v]f]5 eg]. t/ cfhs]f] c]to]fw]gs oudf lz]lff l]f]g] Jofkf/ j]f pBf]u]sf]Ps gl]g l]f]g]sf]?kdf lj sl; t e]Psf]h]x]f]d]f]b]z]df >l % sf]; /sf/n] lj Bfnosf]b]t]f{l]z]lffsf]; 6}df pBf]u] lj efud]f ug{k]g]k]faw]g ag]Psf] 5 . x]f]d]f]; dfhdf ws k]n]sfP/ el]G5 a]j]g]f k}f s]x]f]f]l]z]l]ff]e lz]lffnf0{l]g]l]hs/0f j]f Jofkf/l]s/0f ul/Pk]l]5 yk]o: tf lj s]t / lj ; w]l]tx? b]y]f kg{: j e]f]j s]x]f]. :sh]sf]n]y]f]k]l]f]f]of ubf{s; }j]3'; d]f]05 eg]/ s/ 5l]g s; }j]3'; kl]g l]bG5 eg]s]g} cf]Zrfo}f]lj ifo o; kl/k]l]df x]g]5} .

-u\_ ; fdl]hs ; A]rg]sf]k]kf]j

lz]lff l]f]g] ; fdl]hs l]f]g]sf]Ps cle]g cu e]Psf]h]; dfhdf c]f]pg]kl]j t]g]af6 cnu of]l]f]g] /xg ; S]b]g . ; dfhdf b]y]f k/]f] cfly} ; fdl]hs lj s]t ty]f lj ; w]l]tsf]k]kf]j af6 lz]lff l]f]g] r]f]y]f]/xg ; s]g . g]Ssnl; fdf]g ahf/df kf0P h:t}g]Ssnl k]d]f]of kq / g]Ssnl p]k]l]w a]l]g]l]z]lff ; :yfx?sf af/]f]f kl]g k]z]: t ; l]gG5 . g]Ssnl lj B]f]y]k] kl/]f]f]y]k]l]z]l]fsx?sf af/]f]f lj rf/ ubf{ahf/df cfhs]f]; fdl]hs cfly} hutdf h]g 8An]l]s]k] k]y]f b]y]f kl]/x]f]To; f]f]k]kf]j lz]lff l]f]g]df kl]g k/]f]x]g]k5{. g]l]ts d]l]lo nf]k] x]b}u]Psf]cj :y]f]df lz]lff l]f]g]df g]f]p]f]k]l]j q]t]f af]x]f] r]f]y]k]k]g]sf]ck]l]f ug]l]g/y]f 5 . cfw]gs cf]w]l]us ; dfhdf rs]f]k]l]t:k]w]f]f sf/0f g]Ssnl a:t' ; :t]f]d]l]od]f j]h]f/df cfp5 eg]l]o: f]n]kl]g u]l]x]ot]f k]f]p5 . c? l]r]h j: t' g]Ssnl xG5 eg]k]d]f]of kq kl]g g]Ssnl x]g ; S5 / e]k]l]g /fv]f]f]5 . olb j 9L r]b]f, c]g]b]f]g l]b]f c]o]y]f eg]f]g]x]g]l]j B]f]y]k]k]l]g eg]f]xG5 eg]l] 9L /sdsf]; w]l]ft, 0]g]f]d, b:t/ aem]P/ j 9L c]s]sf] k]d]f]of]k]q l]s]g k]f]pg'c:j fe]l]j s x]f]g . t/ g]Ssnl k]d]f]of]k]q l]ng]k]l] 0 eg]g]Ssnl j: t'e]b]f ; dfh / ; Eof]tsf]n]flu e]l]j iod]f l]gs}d]x]f]k]g]5 . g]Ssnl 8f]S6/n]l]b]Psf]c]f]y]t]l]sf]s]k]kf]j x]f]h]f j]f g]Ssnl 0l]G]h]l]go/n]ag]f]Psf]3/sf]s]x]f]nt x]f]h]f < x]f]d]l s]l]k]g]f ug{: S5f}.

**lz]lff l]f]g]df x]g]e]l]6frf/sf]; fdf]go ; j ]f]of**

lz]lff l]f]g]df x]g]u/]f]e]l]6frf/x?sf]k]k]f]l] c]l]b]og ubf{x]f]d]f]; dfhdf kf0g]; fdf]go v]n]sf e]l]6frf/sf 9f]f]sf ; fy]lj l]zi6 k]sf/sf e]l]6frf/ kl]g kf0G5g\ ; fdf]go k]sf/sf e]l]6frf/ e]g]f]n]j]l]n /sd ; Rof]pg] g]Ssnl j]l]n k]z] ug]l]b]l]v l]n]P/ 7}f]f]l]; t l]dn]f]t]f]ug]l/ 3'; l]b]P/ s]x]l s]f]d u/]f]pg]0]to]f]bl x]g] To: tf k/]k/]fut e]l]6frf/ af]x]f] kl]g lz]lff hutdf x]g]ul/g]s]x]l lj l]zi6 k]sf/sf e]l]6frf/sf af/]f]f o]x]f]p]l]n]y] ug]{r]f]xG5'. tl x]g]N

-s\_ k]l]ff ; Dal]g]wt e]l]6frf/

- s]x]l /sdsf]n]flu k]l]l]ff]c]uf]j]k]l]l]f]y]l]f]x]f]t]df k]z]g]k]q l]b]g]j]f v]l]n]f?kdf j]h]f/df a]l]l]g].
- cg]Q]l]of]k]l]l]f]y]l]f]f]o]k]l]l]fs j]f s]d]f]f]s]f]l]dn]f]t]f]f] 3'; l]n0{p]Q]l]of]{u/]f]pg]

- k/liff:yndf lr6 ; fg{lbg]j f aflx/af6 n]f0Psf]pQ/k:tslf :jlsf/ ug]
- lg/lifsn]k/liffyl\$]pQ/kl:tsfdf cfk]h]s]d\$ u/l cgQlOf{u/fpg].

-v\_ ; :yfut e]6frf/

- k] z k/liffdf cgQlOf{xg]h]f0{r6bf j f cgbfq lb0{egf{ug]
- cl:t]j d]gePsf]:shsf]gfp\$] ; /sf/l cgbfq lng]
- lj Bfyl{egf{: Wof j f:t]j se6bf a9L b]v]P/ s]b]lo j f ; /sf/l cgbfq a9L lng.]

-u\_ JolQmut e]6frf/

- lj Bfyl{af6 p7\$]zllsdWb]/l; bdf sd b]v]f0{=h]df u/l lghl knf0bf lng]
- lzlfns]lgodcg; f/ lngkg]s]lff g]ng]t/ c]tl/Qm s]lff ln0{kfl/>lds lng]
- ; f] h]gs lj b]sf]lbgdf c]tl/Qm s]lff lnPsf]b]v]f0{kfl/>lds lng]
- Pp6]z]lfs s]l lj Bfyl{ lxt z]lfs e]0]df uPsf]a]h]f c]tl/Qm s]lff lnPsf]b]v]f0{c]tl/Qm kfl/>lds / b]gs eOf bj }
lng]
- cf'g}s]lffs]lj Bfyl{f0{6d}z g k9f0{cfly\$ knf0bf ug]
- g\$snl k]f0fkq a]g].

oxfP]lnlvt e]6frf/sf gd]g]x?nf0{c]l]bog ubf{To; df ; n]lg xg]k]qsf c]w]f/df klg lj Zn]f0f ug{c]j Zos x65 . o; /l
lj Zn]f0f ubf{oxf]t]lg k\$]f/sf k]q? ; n]lg /x\$]f]b]v]65g\]tl xg]l

-s\_ lz]fs k]z; s
-v\_ lz]fs =k]b]fks /
-u\_ sd]f/l

lj z4 lz]fns]ug]u/\$]f]e]6frf/s]k\$[t x]f]f{to]y]f]}/sdsf]t/ kbsf]dof]f k]tshsf]b]v]65 eg]lz]fs k]z; saf6 xg]
e]6frf/ r]l]x'7]h]f]/sdsf]/ sfg]sf]c]w]f/df b08 ; h]f0 of]lo b]v]65 . z]l]fs e]0]f uPsf]a]h]f c]tl/Qm s]lff lnPsf]egl
s]l ; o /sdsf]n]flu b]j]l u/] Ps lz]fs=k]b]fksn]ug]e]6frf/s]d]n]of]sg To; df lglxt /sd e]6bf klg g]h]stf /
c]bz{ E ; Dal]wt e]6frf/ xg . t/ ; f]l lz]fs=k]b]fksn]Ps k]z; s]sf]x]l; otdf s]fo {ubf{e]6frf/ u5{eg]To; nf0{
lz]fs x]0]g k]z; ss}?kdf ln0]gk5{. o; k] udf e]6frf/l k]z; s x]f]lz]fs x]0]g . lj 8]dag]s]s]f s]s] eg]e]6frf/l
lq]of]sn]kdf c]to]f]ws ; Wofdf lz]fs k]z; s]sf]; n]lgtf /xg]u/\$]f]k]65 .

z]l]fs hutdf xg]c]l]gold]ttf, w]f]w]l, k]l]k]f]ts]f]; Gbed]f r]rf{ubf{s]l /f]s k]l]x? klg b]v]f kb5]g\ p]b]f]x/0]f]s]f]n]flu c]f'gf
:s]hsf lj Bfyl{f0{p]r]r >0]l]df pQlOf{u/f]P/ :shsf]:t/s]f]lj 1]fk]g ug]k]l]t:k]w]df To:tf :shx?n]c]k]g]f]pg]u/\$]f]
lq]of]sn]k /f]s b]v]65 . To; k]b]f; :j?k c]f'g]f]lj Bfyl{f]pQ/-kl:tsf s]g}p]b]f/j]f]l k/l]f]s]s]x]f]k]7]f]pg nuf]pg]h; n]ubf{
a9L c]s k]l]t u?g]l cy]j f ; Dal]wt s]fo]f]os]f sd]f/l]s]f]l]dn]f]d]t]d]f c]f'g]f]:shsf]pQ/kl:tsf k/l]f]s lrg]l cg]j Zos
b]j]f j f k]h]f]g l]b]P/ p]b]f/t]k]f] \$ c]s l]b]g nuf]pg]h:tf s]fo{x? xg]u/\$]f]x]fdl ; Gb5f}.

d]f]y p]l]n]l]vt k\$]0]f]af]x\$ z]l]fs hutdf cg]; Gw]f]g u/]d]f cg]s]f]/f]s e]6frf/x? oy]6 d]f]q]d]f k]f0]65]g]e]6g ; l]s65 . z]l]fs
l]f]q]d]f k]f0]g]l]og}c]l]go]l]d]t]t]f / e]6frf/x?sf]k\$[t ; d]f]f]o e]6bf l]e]6g xg]e]P]s]f]h]To; s]f]; d]f]w]f]g klg lj z]l]f k\$]f/af6]d]f]q
; e]j b]v]65 .

; d]f]w]f]gs]f]n]flu ; e]n]j]x?

-s\_ x]d]f]l]; d]h]d]f cy{bf; t]f oQm d]g]f]l]Q sfod /x] Dd ; d]f]hs]Ps c]u\_ lz]l]f l]f]q] d]f]q]e]6frf/ d]Qm x]g ; S]b]g . w]g s]d]f]p]g]
OR5f ; a]d]f x65 h; s]f]l]g]l]d]t e]6frf/ ug{; d]f]hs]f s]g]k]lg ; b:o k]l5 kb]g . e]6frf/je]6frf/s]f]3]f]d]f a; \$]f d]l]g; n]
:s]h egf{ug{3' d]l]U5]g]eg]x]f]d]d]f 3' ; l]sg l]b]g]l]eg]l] k]l]ts]f/ ug]l]f]g]l]s]f]l]sg l]j s]f; x]6]g < t; y{l]z]l]f l]f]q]d]f e]6frf/
l]g]f/0]f]s]f]n]flu ; j]k]y]d x]d]f]l]; d]f]h]n]f0{cy{bf; T]j d]g]f]l]Q]af6 d]Qm ug{k5{. o; s]f]l]g]l]d]t]l /f]h]g]l]ts k]l]t]j 4]t]f af]x\$ c?
p]k]fo x]g ; S]b]g .

-v\_ e]6frf/ l]g]f/0]f x]l'x]d]f]l]b]z]d]f yk]; :y]f]x? alg; s]s]f 5]g h:t}d]x]f]n]y]f-k/l]f]s, l]j z]l]f k]x]l, c]l]v]t]of/ b?k]of]l]u cg; Gw]f]g

cfotj cflb . tl ; a); #yfx? sfo{t /xb/xb}sg e|6frf/ /f|sg < To; klftkm(; f|g'cfj Zos 5 . e|6frf/ /f|sg]gfp#f  
lj le|g gfp#f]; #yf dfq :yfkgu/| vf; }km/s c|Pg . ox|Fk|v s/f tl e|6frf/ lgj f/Of ug(a; \$f clwsf/Lnf0{ws kmsfP/  
b|f|dfly sf/j fxl ug(; Sg]agfpg'cfj Zos 5 . sg]s8f zf; s cfp5 / e|6frf/ p|d|hug ug{v|f|5 eg]Tof]c; Dej s/f]  
x|Qg .

-u\_ k|ft|qdf ; dfg clwsf/ / sfg|l ; dfgtfsf]l; 4ft :j lsf/ ul/Psf]x|5 . o; }; dfgtf c|tu| e|6frf/l|n]klg sfg|l  
; /|f5ftf dl|g a; | c|k|nf0{n|sfpg]df|sf kfp5 . e|6frf/l ; d|ftg]e|6bf km|sg]df|sf j 9l x|5 . To; d|fly kl|g x|d|f|h:tf]  
sdhf] sfg| e|Psf]d|hsdf e|6frf/Lnf0{7|h]xf} nf |d|N|f]xf]. To; sf/Of k|ft|f|q|s t/ clj sl; t d|hsdf e|6frf/ /f|sg  
df|g; sf]g|t|sj n clej |4 ug|] fx\$ c? p|k|o k|f|j sf/l x|g ; S|b| .

-3\_ x|d|f|b|z|df ; #blo k|ft|qdf ; l|w|gtM; dfg clwsf/ k|ft 5 t/ ; dfgtfsf]l|of/|6l 5| . ox|F|fly\$ l|j |f|d|t|k|Of}; d|fh  
5 h|xf|u/l|j , d|l|od j u{/ w|gl u{Pp6}; d|fhdf j :5g\ o; /l w|gl / u/l|j P|s}7|f|p|f j :b|f w|gl j u|f]ug|t8se8ssf]0|of|  
u/l|j nf0{x|5 . t/ s|dfpg]c|j ; /sf]ox|f|ce|j 5 . To:tf]c|j :y|df lg|Dg c|fosf JolQmsf]c|f|d|j n 8udufpg ; S5 / Odf|6bf/  
x|g r|f|f|f r|f|f|f]kl|g e|6frf/sf]h|f|ndf kg(; S5 . To; sf/Of ; f|d|f|hs c|ly\$ ; dfgtf t|k|f/fi6«cu| / e|P e|6frf/l dgf] |Q  
36b)h|fg ; S5 . e|6frf/ l|j /f|l ; #sf/n]; d|fhdf hu ga; f|n]; Dd e|6frf/ p|d|hug x|g u|f|f]5 .

-8= lz|ff /f|li6 /f|h|gl|ts k|f|f|n|s|f]P|s p|k|k|f|f|n|l e|P|s|f]l|z|l|f|f|f|f|nf0{e|6frf/d|st agfpg ; j |k|yd /f|h|gl|ts e|6frf/  
p|d|hug x|g clt|j fo{5 . c|oy| lz|l|f|df x|g]e|6frf/ /f|sg ; l|s|b| .

### ; Gbe{u|fy

!= Encyclopaedia of Social Sciences; 1984

@= e|6frf/ lgj f/Of P|g @)!\*-; #f|v|g ; l|xt\_

#= Tuls Ram Vaidya and Triratna Manadhar; Crime and Panishment in Nepal, A Historical Perspective,  
Kathmandu, 1985

\$= k|f|j =s|, g|k|f|n kl/ro, lq=j =@) #@

%= >l d|xf|n|y|f k/l|f|ss|f]j |f|f|f k|t|j |g @)%#-%%

^= >f|: JolQm? lgj t|dfg l|h=z=c=x?, k|z|f; sx? tyf k|w|f|g c|l|f|k|sx? / lq=j =gl/l|f|of d|xf|z|f|v k|d|v, o|f|h|g k|d|v

# e|6frf/ M/fhgllts kl/j ʒ - zf:q bQ kġt, lkPr=8l

e|6frf/ Ps kšf/sf]/f|u x], Pp6f dfgl; s /f|u . o:tf]/f|uaf6 5bšf/f kfgp sxl k'tf nflb5 . ; dfh lj 1fg zAbsfʒ cg; f/ e|6frf/ egšf]zIQmf0{dġfknsf]nflu k6f|u ug{x]. s; šf]klf lnP/ jf sg}; dxsf]klf lnP/ lj Bdfg k/Dk/fut g|tstfnf0{5f8} tyf sfġšf]dof6f klg pln3g u/ ug]zIQmf]b'z kof|u x]. ; /sf/L, uʒ; /sf/L jf ; fj hġs sġ} c|f|f|df /xšf]JoIQm]cfk|f]cf|f]f]b'z kof|u u/ , nfešf nflu jf sg]lgxt : jfyšf nflu ul/g]sfd x]. cfk|f]lgxt : jfyšf nflu cfn6fn u/ ; dodf sfd gul/lbg] jxfg agf0{xg]tyf sfofġo ; dodf sfofġodf pkl:yt ge|6g]; d]af6 xġ]l9nf0{klg e|6frf/ x]. zIQmf]b'z kof|u u/ lj z|f chġ ugšf nflu pkoQm xġ]u/L cfoQm cfo|fhġsf]rog ug{k|g e|6frf/ x]. unt t/lšaf6 sʒ v8f ug]/ unt cyj f : jlj j \$l, ckf/bzl{z kdf sʒšf]vr{ug{k|ge|6frf/ x]. ; k|kdf clyš nfe / s; šf]klf lnP/ ul/g]clwsf/sf]b'z kof|u ge|6frf/ x]. gub, lh6; l, pkxf/, k':sf/, gh/fgf cfb lghdlt sdf/L jf hgkl|lgw jf /fhgllts ?kdf lgoQm JoIQmaf6 xġ]clyš nfe ge|6frf/ x]. clVtof/ b'z kof|u lgj/Of lgodf jnl @)#\$ cg; f/ -s\_ clwsf/sf]b'z kof|u -v\_ ; fj hġs /fi66 ; DklQsf]lxgfdgf -u\_ clyš nfe -3\_ tʒšf] lhDd]f/L axg gug{tyf -a\_ /fi6šf]xlt lj?4 ul/g]sg]klg sfd e|6frf/ x].

e|6frf/ lj Zj el/ hxflExl+j Bdfg 5 . t/ lj sl; t dhšdf xġ]eġbf lj sf; f|dv dhšdf xġ]e|6frf/ ; Wof, dfqf / kšf/df leġg x65 . o:tf bʒšf]e|6frf/n]k|olftof cfd hghlj gdf gs f/lds k6fj kb5 . o:tf e|6frf/n]ubf{0dfġbf/ JoIQm lj sf; sf sfd lgZsnš eP/ ug{k|g 8/fp65 . pm x/š sfd ubf{cfk|f; A|ft eP gePsf]s'/fnf0{k|fyldstf lb65 . sfd l9nf] vlr6f] c|oj xfl/s / c; fdfhs x65 . lj sf; sf]utl kl5 kb5 .

klġftġ egšf]Pp6f sfġġ /f|ho x] cfk|f]fFf/ c?nf0{klg afġg lbcf]f]; 4f6tsf]zfġtk0f; Qf x: tġt/0fsf]Jo j: yf x]. ; do ; fk|f kl/j tġ ub|nġ]Pp6f utl; n /fhgllts Jo j: yf, ; j f|f|Vl cfbz; dfh / r|/qj fg JoIQm j n]g]Tj u/šf] /fhgllts cj: yf x]. ; a)dn] /fi66q lj Bdfg grfxšf j : tšf]cġo / rfxšf j : tšf]; ?cft ug{k4lt x]. cġofo, c|ofrf/, c1fgtf, cefj / j]fhuf/L / cw]j]fhuf/L, u/ljL, ġoġ hlj g:t/, k|f0f h:tf j : tšf]cġo / lz|f, : jf:Yo, vġkfgl, pBf|wġbf, cf|dġe{tf, 1fg, lzk lfdtsf]lj sf; , lgofdf j|4, cfofdf sdl u/] u/ljL / j]fhuf/sf]cġo ug{ klġftġqs /fi6šf]kdv b|ofj x]. @)\$^ ; fnsf]/fhgllts kl/j tġkl5 hġtfn]u/šf]cfzf klg Tox| lyof]. b6f|oj ; lj utsf]Ps bzs ck|ffsf]klġsh hġtfn]kl8f ; xg'k/6f]. ol ; a)kl8fsf]dh r' /fhgllts e|6frf/|g]xġ uof]. /fi66 r|/q / j|6IQm k|Q g]b|f|foQm/Xof].

## p2]oM

- gk|fndf /fhgllts e|6frf/ lj ifos o; n|ydf lg0g cg; f/sf p2]o /xšf 5gM
- gk|fnsf]/fhgllt lġdf lj Bdfg e|6frf/ af/]lj leġg bl[6sf]f|af6 lj Zn]0f ug{
- /fhglltdf e|6frf/ xġsf sf/Of kOf nufpg;
- e|6frf/nf0{tTsf]slsds/Of ug]/ bl3šf]ng z kdf lgoġof ub|n]hġ]pkfosf]v|fh ug{
- lj Bdfg /fhgllts e|6frf/nf0{hgrf; fšf]lj ifo agfpg' tyf hġtfnf0{o; lj ifodf hfuzs kf/L cfk|f; f;bnf0{cfk|f} lgoġof u/L ; xl af6df lxBfpg]dfx]hšf]; hġf ug{
- ; a)bnf s; /l of|otd, r|/qj fg tyf /fi66 /fi66tfd ; dlk{nf0{dfq ; fd]h u/] cof|onf0{x6fp6}hġ]eġg]s/df pTk]0ff ug{
- r|/qsf nflu kl|lgw / lj sf; sf nflu /fhgllt u/fpg rfxg]cfj Zos Pġ, lgod, cfrf/; kxtf thġf ug{
- klġftġnf0; bġ u/L o; nf0{; a)ġful/sn]bġs hlj gdf ptfg; Sġ]u/L Pp6f klġftġqs ġful/s ; dfhsf]; hġf ug{.

; d:of

@) \$^ ; fnsf]/fhgllts kl/j tġ lJ Bdfg ; fdġtl ; :sf/u|t ; dfhnf0{Pp6f pRr hljg:t/lo gful/s ; dfhdf ġkġt/t ug[cfzon]ePsf]]yof]. lJ ut Ps bzssf]cEof; n]; Eo ; ; :s[ / ; r] gufl/s agfpg]kġ/fhg]fxġ kġtġ/t g]g/xġf] / p2]o k/fho ePsf]dx; ; ul/of]. ; /sf/sf]tlg]cuxġ, bn / ; j tġg k] xġ ; d]n]hgtfkltsf]bġo]j / st]o kġng ug[kġ]cfj Zostfnf0{uDel/tfk] \$ aemġ rfxġg\ ; aġfnlu sfġġsf]lgwf]0f ug[ġofokfinsfn]cfkġġ]nflu sg]; ldf lgwf]0f u/ġ . k] n]5f8f / bnut k] Qnf0{g}:j tġtfsf]pkof] 7fġof]. lġlxt :j fyġf]rfkn]/fġo Joj :yfsf]nflu ge}gxġ] ; dġj osf]t cġet g}ePg . hgtf / ; /sf/alr bġf]f] ; jfb g}ePg . bġzsf]lj uġ]cflyġ / ; fdġhs Joj xf/df ; wf/ NofP/ lj sf; sf]utl lta|kġg]kġftfġqs Joj :yfsf]vff]lyof]t/ hgtfsf]kl]tġlġw]j u/ġf JolQm]cf-cfkn]lj sf; nf0{ kfyldstf lbP . cfkġġ]5bġġ / cof]otfsf]kġzġ u/]. /fhfs] ; lbR5f / kġftġqk]tsf]kl]ta4tf kġg hgk]tġlġwdf lj Bdfg /fhgllts eġ6frf/ / ckġftfġqs zġlnf0{ġg?T; flxt ug[kof]t ePg .

@) \$^ ; fnk]5sf]klxn]hġlġj fl]rt ; /sf/sf kġnf]lv eġ6frf/sf]ġlġg k] z eof]. To]x6ġf eġbfeġb]To; \$f sf/0f cfkġġ] bnsf]; /sf/ cfkġk]tg u/f0of]. To; k]5sf]dġw]j lw rġfj k]5 t eġ6frf/ r/d ; ldfdf kġof]. of]slxn]lġhls/0fsf] ; ġfġts vġh cġ] bġf kġof] slxn]pġfl/s/0fsf]vġh cġ] slxn]ef/tl; tsf]lj zġf ; Daġw t slxn]lj zġ Jofk]s/0fsf] axfġdf .

axbnlo Joj :yf :yġkġk]5sf]cġt]d / ; /sf/df eġ6frf/sf]lj hf/ġ0f ul/of]. To; aġhf oftoft / sġf dġqfnodf To]j lh 6; fPsf]3fġf]0f ul/of]. klxn]lġj fġgk]5 agġl sġf dġq zġhf cġfrof]o; dġqfnodf eġ6frf/ 5 eg] cfġf]78dfP/ bġf]0b0g eġ6frf/l]n]; Af0f kP, pġnf0{sf/afxl eof]. eġ6frf/ ePsf]sfġ0f0bġġf0{sf/j fxl ug] / eġ6frf/l]nf0{k/:sġ ug]Ps kġf/sf]k/ġk/f a:of]. e/tġfġg clwsf/l]n]bġzsf]cyġġġ ; Daġw ; #bdf kġz u/ġf]lj zġf k]tġj nf0{5nġm; Dd ug] gġbP/ :yug ul/of]. eġ6frf/sf]s/f]dġt]ldf /vġg]k/ġk/f a:of].

zfl gġġn j fo; j]f lġud / wldhf sf08, rġh Po/ sf08 tyf rf0ġf ; fpy j]6 xj f0{hxġh j ġ Inh sf08, xj f0{hxġh vl/b sf08 nufotsf sldzġsf rSs/df dġq, ; f;#b, lġud / t:s/xġ olt ulx/f] ġ 8aġl pġlġġn]bġz / hgtf g]lj; P . tġ / dg b] }wgk]t dfq cfsġfġ eof].

ptf vġfġsf]lj j fbf:kb d2dfġ s/fġ dfkġ lb0of]eg]dġofkġn d]Bsn snġhsf]s/f kġg sldzġ rSs/sf]; fj ġġgs lj ifo aġof]. uġdġqfnon]t:s/l u/P/ /fhgllts kġ08& hġdf ug] / To] /sd lx; fj g]bġfpg gġġu/l :j lj j \$n]vr{ug] eġ6frf/sf]ġofFz]ġlsf]vġh u/l sf0f]ġ og ul/of].

bġzdf vġġd t:s/l e}xġf]s/f cy{dġqfnon]:j Lsf]of]. ; Of kġġt ug{/ To; nf0{ġg/t/tf lbg wg ge0{gxġ}wg cfġġ ug[h]kġg ug[kġ]afġotf bn / dġq]sf]/xġ}cfo]. Pp6f ; f;#bnf0{8ġ s/fġ lt/] cġP kġg ; Ofdf a:g}g}kġ]7hf ġġn] dx; ; u/]. ; Ofdf a:g rf/ hġf ; f;#bnf0{ /sf/l wġn]vl/b] j \$s k7fPsf s/f k] {kġfġ dġq z]axfb/ bġj fn]:j Lsf/]. nfu"kbfy{ ; ġ / lj bġz] db]sf]t:s/l, uġdġq]afBġ]u/ġf]s/fġf]cflyġ ; xfof, rġb k/:sf/df ePsf 36ġf af/ ; fj ġġgs nġf; lġltn]af/Daf/ p7of]. To]kġg dġtal /flvof].

tSfġng cy{dġq /j lġbġfy zdfġn]nġf ; lġltdf uP/ .eġ6frf/ lxhf]lyof] cfh 5 / eġfġ kġg /xġ]5ġ egġf]cleJolQm ; fob axbnlo Joj :yf kġġyġkġk]5sf]ġyfy{ġisif]x]. To:t}klxn]cfġdrġfj k]5 ; /sf/df a; \$f Ps hġf dġq]n].sldzġ cfhsf]; #f/df Pp6f j }fġgs kġġf]e} sġf]5 ū eġġaf6 lġj fl]rt k]tġlġwsf]dġl:y]t kġġ665 .

dxn]v]f k/l]fsn]lbPsf]kl]taġgġ g]/fhgllts eġ6frf/sf kġfġof]t clenġ 5g\ cġVtof/ bġkof] / lj zġf kġ/L ; d]n] d2f rnfPsf s/f kġg clenġdf bl/Psf 5g\

cy{dġq zdfġ}; #bdf t:s/l ePsf] dfkġof]tġg lj Bdfg ePsf]tyf cfkġġ]t:s/ / dfkġof lrgġf]:ki6f]Qm eg]k]5 kġg kbfl; g cy{dġq]n]sg]sf/j fxl ug]g; Sg' /fhgllts eġ6frf/sf]csf]cgxf/ xf]. ; Ofdf a:bf eġ6frf/ ePsf]ġb]ġ]afxl/ a:bf dfq b]ġ]csf]k/ġk/f agġf]5 . bġj fn]; f;#b vl/b laġġ kyf kġg eġ6frf/L sfo{xġ}eġg]s/f 9fġm]ePk]5 dfq yxf kP . nġf ; lġltsf]cġlbf xġf eġ6frf/ ; dfġ]crs ; eġqsf ġkdf b]vPsf xġo] lqk]7ln]j g eġq xġ]lj lQs]cġttnf0{ ; n\$S]j ; j. kġfġdġq kbaf6 sġl lbg afxl/ġf dfq kġg lul/hf k] fb sf0/fnfn]cfkġġ]5ftġeqsf t?0f bn / ġġġn lj Bfyl{ ; 3nf0{eġ6frf/sf]lj /f]wdf ; 8sdf ptf/]. :j o-t?0f bnsf]cleofġġ kl lġn]ġf]kġ nufP/ ; 8sdf plqP . o; /L eġ6frf/sf nflu g}; Ofdf /xġf/ eġ6frf/ u/ġf]s/f ; Of afxl/ a; \$f aġhf dfq b]ġ]cfġf]sf ġġl o; bzssf]/fhglltsf]eġ6frf/sf] csf]lj ġb' x].

eġ6frf/ ug}; Ofdf hġg]cyġf h; /L kġg ; Ofdf uP/ eġ6frf/nf0{; ; #7t agfpg]kġtġdf ; a}bn, JolQm ; #yf Psh6 eP/ nġlġu/]. o:tf s/fdf ; #bdf cġkġt / lġlnhhl ; /sf/sf]; d:of kġg ePg . bġzn]yġġg g; Sġ]tyf c:j feġ]s ; f;#b

; lj wf ; Da6wl lj w0s kf; ubf{sg}lj /fW ePg . t/ cfj Zos ; Jf; lj wf, /fhuf/, pBfUwGbfSf]lj sf; / :j tGq cyfGg agfpg]s/fx, hn>f]sf; bkoFl ug]s/fx, df slxNo)PsdT xg ; s0 . o; /l ; #blo Joj :yf vhfcd hgtfnf0{dV{ agfP/ a]xn6 ug]f/hglltsf g]fx, sf]lqnf:yn a6g klxsf]5 . bZdf axbno Joj :yf nfu' ePk15 ; /sf/sf ; a)s/f kf/bzl{xg]5g\ e]6frf/, t:s/l / sldzgtGqaf6 bZ dQm xg]5 eG]cfzsf]lj kl/t e]6frf/ g)eoifj x, kdf a9sf]h] hgtfnf0{to; h]vfg yfn]sf]5 . ; /sf/sf sfdx, ckf/bzl{xg]5uPsf 5g\ e]6frf/, t:s/l, sldzg / o:t]lj s[t vhdvfh ePsf 5g\ ol ; a)s/f :jlsf/] klG lgn[h]tk]f k bdf blhg]cfsif]f rfxFpb]n]lbf]ePsf] 5 .

gkfnsf]cfly\$ lj sf; sf nflu lj bZl ; xof]usf]7hf]eldsf /lx cfPsf]5 . lj Bdfg /fhgllts e]6frf/sf sf/Of lj bZl COf ; xof]u rfxg]cfof]hgfnf0{gng] / grfxg]cfof]hgfx, cl3 a9fpg]k/Dk/in]COf / ; xof]u pknAwlxg ePsf]5g\eg]cflw /sd cfm]kmtf[nfg]bft[ :yf ; d] gkfnsf]e]6frf/; E ctoGt c; Gtl6 xB]cfPsf 5g\ 80dfsa6 gkfn cfPsf]; f] ; Da6wl kl]lglwd08nn]t :ki6 ZAbdf- gkfnsf]; /sf/n]e]6frf/ g/f]c]kfm]l]b]cfPsf]; xof]u a6b ug]r]f]j gl ; d] lbPsf]5 .

clVtof/sf]b' kof]u, kZf; lgs l9nf; :tl, g]tstf / Odf]bl/tfdf x] ; , clgoldttf ; /sf/l /sdsf]lxgldgf, cfly\$ cgZf; glxgtf, /fli60 nufglsf]b' kof]u, ansf]k]bzg / bjij cflb sf/Ofn]pkef]oj :t' ptkfbgd f a9sf]nfutn]bf]a/ t]a/ d]lloa[4 ; d] ePaf6 hgtf cfqmf]t, ylst, ulnt kl]8t ePsf 5g\ e]6frf/ qm]ds /f]u xB]uPsf]5 . .axbno khftflGqs Joj :yfsf]kga]fnl kZrft e]6frf/nf0{lzi6frf/ jf ; :yfut :j, k lbg v]h]Psf]k]t]t x65 . hg ; /f]sf/sf sltko sf]ofnodf 3; gv]f0{sg}sf]d xB] / vhf, kdf lgw\$ 3; dflu65 eG]s/f cfd ; xdtlsf]klf eP/ klG /fhgllts kl]ta4tfsf cej sf sf/Of o; n]df]f]pg kfPsf]5 . gkfnu]hsf]g]f / j]l/u]hsf]/fk]k]sf dxflw]zgn]klf/t u/]sf c7f6 klG sfuhdf dfq ; lldt /x]. jf:tj df /fhgllts txn]e]6frf/ la, z; Qmsbd r]l]gsf]; 6x o; nf0; Af]of / k]l]ft ug]kl]sg]n]llof]. Jo]Qm hit pFf]txdf k]lof]e]6frf/ klG Toxl cgkftdf ug]u/]sf]kf]0Paf6 /fhgllt e]6frf/ ug] kl]ta6 ePsf]b]l]v65 . n/t/f]k]p]gn]o; nf0{lgo6qof ug]t s'})5f8f]sids/Of -l]tigate\_ ug]klG ; xh b]l]vb0 .

Psf]t/ vlr]f]r]g]j k4lt a9b]hfg; csf]t/ /fhgllts g]fn]cfk]h]f0{ ; J]sfo66 lems] ; fdf]o kZ]f/ sd{f/l]sf, kdf kl/Of]t u/] klG; g, pkbfg, cf]w]k]r]f/ h:tf s]df /f]hoaf6 clwstd ; lj wf lng]dg] [Qn]o; nf0{emg bnbndf w; fpB} uPsf]5 . km] / ; DklQ cfhg u/] j0j k]bzg ug]f/h g]fn]dg]llo sfo\$tf{kfp]g]tyf ; dfhn]klG prf]kl]ti7f lbg]dx; ; ePsf]5 . :jR5 5j l agf0{/fVg]cfj Zostf klG gk/]f]dx; ; ePsf]5 .

Psf]t/ :ki6 / kof]t sfg0 gePsf]sf/Of e]6frf/l]nf0{sf/j]xl ug]g; l]sPsf]s/f af/af/ eG]ul/65 eg]csf]t/ e]6frf/l]nf0{/fhgllts ; Af]of lb065 . o:t]c:ki6tfsf]c]G]o ug]sg]; f;#b, sg]d6ql tof/ ePsf]b]l]v65 . e]6frf/ lgo6qof ug]Psf]0; :j e]j t]k]k]f]xlG b]l]vPsf 5g\eg]sfg]l clw]sf/sf o:tf kf]l af]a] a:g] k]G b]l]v]w]f/ kvfln]Psf Jo]Qm 5g\

e]6frf/n]; dfhdf g]tstfsf]x]f; u/]Psf]5 . d]hsnf0{ul/j]l]t/ ws]b]n]h]fg]k]d]v ; fwg klG e]6frf/ x]f. o; n]; dfhdf lj Bdfg cfbz{c]l]b]l]dstf, cgZf; g; ; bkl/q]t tyf df]otfx, df klG vnn l]ofP/ rg]f]t lbPsf]5 . /fi6sf]lj sf; Toxf]f] df]6f] 9]l]f] k]gl, ?v cflba6 dfq xB] . bZsf]lj sf; t g]ul/s-x; sf]r]l/qaf6 x65 . ; :yf]lgs :j tGq lgsfo dxfn]f k/l]fsn]klG e]6frf/ u/]sf s/f kl]t]hgdf dfq p]l]ny u/l sf/j]xl]sf]n]flu ; DalGwt dG]q]nodf k7fpg]ub5 h; af6 s]n Pp6f cf]k]r]l/stf dfq k/f x65 . cf]j=@)%%%^ sf]d-n]k-sf]kl]t]hg]sf]cg; lr ( df p]l]ny eP cg; f/ cy]G]q]n]lj bZl cgbf]gaf6 ; #flnt #s@ j6f cfof]hg]fx, d]l]o]!## j6fsf]ah0 gb]v]f/ sh \$\* cj {& s/f] b]v]fpg'kg]f s]n !@ cj {^% s/f]dfq ; #bdf kZ u/] ; #bnf0{em]sof]f] klG ; #bn]sg]k]l]ts]f Jo]Qm u/] eg]!# cj {k]k]f]a]h'a9b] klG s; h]sxlF sg]sf/j]xl gu/]af6 e]6frf/ ldn]d]t]f]af6 ePsf]kl]l]65 . &) cj {e]bf sd j]l]f]f ah0 xg]bZdf s]of]/sd sxfln n]l]bf] x]f]g <

To; u/] axbno Joj :yf k] {s/l] @ ( cj {lj bZ COf ef/ ePsf]bZdf k]l]t COf /sd a/fa/l ; DklQ -Assets\_ b]v]fpg g; Sg]u/l COf ef/ !\*@ cj {klG' /fhgllts cyf s]l]l]o:t/sf]l]d]neut e]6frf/sf]k/fsi6f x]f.

To; u/] lbcbcf]n]sf/j]xl ug]k7fPsf s/fdf dG]q]non]sf/j]xl ug]t stfstf lnlvt hj fkm, Dd glbPsf]pb]f]x/Ofn]; /sf/n] u] l]h]d]f/l dfq sfd ug]u/]sf]5g, lgotdfly klG kZ]glr]x v8f ePsf]5 .

**; d:ofs]lj Zn]f0f**

k] {dG]qlx, sf]c]leJo]Qm em]e]6frf/ lgd]h xg g; Sg]/f]u rfxFcj Zo xf]0g . s]l]l]o :t/sf ; a)cu]x, sf]e]6frf/ lj?4 n8g]; d]j of]ds k]f; ePdf of]l]gsf]x65 . t/ cfh; Dd ePsf d]l]qd08nsf ; b:o h:t]l]gb]fpg] 7]sf]e]fif af]l]g/ ; j }

s/fnf0{xnsf 2kdf lng]afgl /xdf eg]of]c; Dej xg; S5 .

e]6frf/ lgj f/Of ug]lgsfonf0{cfj Zos kg]Pq lgod agr0{alnof]tNofpg ; /sf/ g}nfluk/ \$f]b]V6g . tl lgsfox 2 df  
cfj Zos kg] > f; ; fwg, hgziQm ahb / pks/Of rfxg]e6f cTolws 6og 5g\ csf]t/ e]6frf/ lgo6qOf ug]lgsfo /  
To; df lgo6f lbg]lgsfodf xg ; Sg]e]6frf/ lgo6qOfsf]af6f]klg /fHon]cj nDj g u/\$f]kf06g . o; f]x6f ldlndt]f/ t}rk  
d)rKsf]l; 4f6t nfu" xg ; Sb5 . lj z]f kx/Lsf]sfof]q ; lldt u/] cbccfn]gug] ug]glbg]ePsf] s/f /fwf/dOfsf]kfnf /  
To; kl5sf]sfoz]nlnf0{x6f]lglde sfg6n]e6f JolQmsf]k6f; n]a9l sfd ePsf]b]V65 . o: tf]cj :yf xg' eg6]e]6frf/nf0{  
df]fpg lbg' x]f. csf]t/ e]6frf/ lgj f/Of ug]lhd]df lb0Psf JolQmsf]g a]Q lj sf; s] Joj :yf 5 g t lzk, 1fg / lfdtf  
a9fpg]klz]f0sf]. krxQ/}hNnsf k]hcnf0{o; af/]lfdtf a9fpg]sg]k6f]g]ePsf]5g . lj z]f kx/L / cbccfsf]klg Toxl  
xfnt 5 .

; /sf/ / e]6frf/ lgo6qOf lgsfoalr Ps lsl; dsf]66 rln/x6f]b]V65 . hg JolQmf0{e]6frf/ /f]g]Psf0n]sf/j fxlsl  
nflu n]l k9fp65 > l % sf]; /sf]n]sg]sf/j fxl ubg . a? pN6]to: tf JolQmf0{tSdfs]nflu l; knl/ ug]tyf c6o k':sf/  
lbg]ub]cfPsf] kf065 .

csf]t/ cbccfn]cfk]b]fo/ u/\$f]; ah; f]d2f xfg]u/\$f]kf065 lsgeg]3'; vfg]s; h]klg 3'; vfPsf]e/kf0 glbg]/  
To: tf]kz gu/]d d2f glh]g]ePaf6 of]c]of]t hl6ntd ; d:of a6b]uPsf]5 . lgnDag ul/Psf JolQmf0{klg kg/fj 6g ug]  
Dofb 5b]j]f u/\$]cj :ydf > l % sf]; /sf/n]xtf/ xtf/; 6 axfnl ug]u/fpg]u/af6 klg > l % sf]; /sf/sf]gotdfly zsf  
ug]kg]x65 .

Pn; l sf08f nufot yk]e]6frf/ ug]cleofgsf cleoQm 2; e]6frf/ lj /fw cleofgsf]d#df dVo clt]ysf]cf; gdf  
lg; sf] a:g]u/af6 tyf Ps lbg klg h]h gj ; l cfk]f]k]j]l ug]; Sg]ePaf6 tyf to:tf JolQm 6 wgsf]cefj slxNo]gxg]  
ePaf6 pRr kb:y /fhgllts g]fx 2 sf]c6t/lg]xt l; 4f6t g]e]6frf/ ug]xf]ls e6g]efg x65 .

; Qdf a:g]bnsf sfo6tf]ck/fw g}u/]klg ck/fw u/\$f]g7xl/g]/ lj klfsf sfo6tf]ck/fw}gu/]klg ck/fwl 7xl/g]  
h:tf dfj clwsf/ lj kl/tsf sfdx 2 ut Ps bzsd] dglo ePsf 5g\ 7hf7hf k]h]bf/L cleof]df k/\$fx 2 sf]; /sf/j fbl  
xg]; a)d2f > l % sf]; /sf/n]lkm]f lng]u/\$f]5 . of]c:j :y k/Dk/fn]e]6frf/ ug]/ cgl]ts sfd ug]; d] k]l; fxg ldn]sf]  
5 . clxn] dd sl/j b0{xhf/ o:tf d2f lkm]f{lngh]6ofok]nsfnf0{klg 6of0 ; Dkfbg ug{:j t6qt glbPsf]k]t t x65 . ctM  
oxf :ki6 s/f s]xf]eg]e]6frf/ lgj f/Of s] n efif0f ug]efifdf ; lldt 5 . Joj xf/df hit ; Sof]e]6frf/ ug]tyf Pq ldrG]  
/ e]6frf/ ug]sfdnf0{afx6/L 7f6g]JolQm 2 n]to:tf]klfnf0{g]k]h]ft]6qs klfsf]dh cfwf/ xf]eg]h:t}u/L nflu k/]  
rg]j lht]fpg]7fp]Dd kl]g]u/af6 ; xh 2 kdf; ; fdf6o sfg6af6, lj Bdfg lgo6qOfsf]kl/kf6L / ; 47gaf6 o; sf]lgo6qOf  
; Dej b]V6g .

@)^ ^ ; fnsf]cfdrg]j df hgt]sf]Pp6f dfq csf]ff s]/x6f]kf065 eg]ca xg]; /sf/ z4 5lj ePsf o:tf JolQm 2 sf]xf] \  
h; n]sldzg, e]6frf/, c6of0 / c]goldt]tnf0{dg; f j]rf sd]ff pv]h] k]n]lg ; sg\ Toxl gf/f cu]f8 ; f/] bnx 2 n]  
rg]j df k]f/ k] f/ klg u/]. knl/ klg hgt]tnf0{rg]j df en]sOf0of]. to; kl5 ag]sf]; /sf/df klg wldnf]5lj ePsf  
JolQm 2 sf]afxNo /x6f6 e]6frf/ emg rls6 ; Sg]; s] b]yfk/\$f]s/f ; Dal6wt bnleqs]:jR5 5lj ePsf JolQm]p7fPsf  
5g\

Pq lgod lj kl/t xg lb6g a? /fhlgdf lb65' e6g]ef/tsf nfnaxb/ zf:ql, l6-Pg= ; } g / g]k]nsf /fwf/dOf h:tf JolQmsf]  
afxNo xg]xf]eg]cyj f k]o6s d6qfnosf]d6ql / ; lrj df dfq of]k]t]j 4tf xg]xf]eg]cyj f k]o6s bnsf]c]w]l f / s]b]lo  
sfo{ld]tsf]JolQmf To]k]ta4tf xg]xf]eg]e]6frf/, sldzg, c6of0 / cgl]ts sfo6f]lj pm g]b]zaf6 lj dv eP/ hf]g]  
lyof]. hgu]f; f]/xg]lyPg . /fi6sf]; f] ; fwg a9g]lyof]. To; ; fwgn]lj sf; sf]ult a9g]lyof]. kl]t JolQm cfo klg a9g]  
lyof]. clxn]e]6frf/ u/] cfh6 u/]hit pgsf gft]n]e]6frf/ gul/sg cfh6 ug]lyP .

**e]6frf/ gug]k]ta6t]tsf]zsf**

s]l /fhgllts g]fx 2 sf]k]ta4tf g]e]6frf/ ug]t lyPg < s]to; \$f]nflu g}@)^ ^ ; fndf ; 3if{ul/Psf]lyof] s]l g]fx 2  
k]fots]nsf g]f/zfxlx 2 n]e]6frf/ u/] ug]u/\$f]df]h b]y] nfnlot dfq ePsf t lyPg6 tl ckuOf x6fpg x]fg  
cg; /Of ug]dfq /fhgllts kl/j t6 vf]h]Psf]t lyPg: egl zsf ug]kz:t u]fo; 5 .

g]k]nsf]; h]wfg @)! ( sf]efu ! ) u df Joj :yf ul/Psf].c]Vtof/ b]z kof]u lgj f/Of cfo]u]l nf0]t 6fg g]k]n clw/fHosf]  
; h]wfg @)^ ^ sf]efu !@ df .c]Vtof/ b]z kof]u cg; 6wfg cfo]u]l df kl/oft u/L sf/j fxl ug]clwsf/ ; Dal6wt d6q]nf0{  
lb0gaf6 ; h]wfg lgd]f]df g]q6l ePsf]:ki6 x65 . ; af]r cbfnt]sf]lgo6qaf6 d6q]x?nf0{klg sf/j fxl ug]; Sg]clwsf/

clVtof/ cg' Gwfg cfof]nf0{kkt ePk15 dfq cfof]n]d6ql / ; f;bnf0{sf/j fxl ug{yfn]klg cfof]sf}; j;wflgs agf0sf] k\$bf xbf{sfo{flnsfn]cfof]nf0{lgo6q0f ug}; Sg]k] : t 7fpFcm]lj Bdfg 5g\

e]6frf/ u/\$f]sbj}kpf0f geP klG >f] b]v]fpg g; Sg]u/L s; h]cfhg u/\$f]5 eg]To; n]e]6frf/ u/\$f]7xg]u/L k#fotsfndf sfg9sf]lgdff ePsf]lyof]. e]6frf/nf0{p6dhg ug]c7f6 ul/Psf]lyof]. To; cg; f/ s]l JolQm;nf0{s8f ;kdf sf/j fxl u/L ; lSpsf]lyof]. t/ @)\$^ k15sf]khtfll6qs ; /sf/n]To:tf P6 / k\$bf]sf]c6To ul/lbof]. To:tf JolQmsf] ; DklQ lkmf{ul/lbof]. To; k15 dl6qd08ndf /x\$ f s]l d6ql; g/x\$ f s]l ; f;bx; / sltko c6o g]fx; n]/ftf/ft cfhg u/] dxn, pBfu klti7fgsf]lgdff u/\$f 5g\ To]s/f ; /sf/nf0{yxf 5 / klG sg]sf/j fxl gxgh]pglx?sf]k]ta4tf}) e]6frf/ ug]t lyPg eg] zsf ug}; lS65 .

@)\$^ ; fnsf]kl/j t6 k15 c#nflw; sf]kb vf/h ul/g' tyf klhcnf0{fhgllts/0f ul/g; lj s]b]ls/0f / :yfglo Psf0; ;sf] ; j;wflgs Joj:yf vf/h u/] Itgl;nf0{>l % sf]; /sf/sf]:j lj z \$ leq /flvg' / To; k15 Jofks ;kdf s]b]b\$ /0f ul/g]h] e]6frf/sf]bfo/f cem]al:t ePsf]5 . d6qfnox; n] vf; u/] u]d6qfnon,; a)zIQm s]b]b\$ /0f u/\$f]5 . o; f]x]f lj z]f k]l/sf ;kdf :yfglo:t/df z; Qm ;kdf ul/Psf]e]6frf/ lgo6q0f ca gfd dfqsf]ePsf]5 .

; enj

oib sxl st}e]6frf/ gxg]x]eg]e]6frf/ lgo6q0f ug{w}]7fpFf afw nufpg'kg]lyPg . kzf; lgs vr{cfwf e6f sd 36g] lyof]. lj Bdfg \$) b]v \*% kltzt; Dd sldzg / rxfj 6af6 hfg]lj sf; vr{aRg]lyof]. To:t}cfof]hgfx; cdfgtdf ug{ kF0g]cj:yf ; h]g]lyof]. h; n]ubf{sfd c]o6t l56f]; Dkfbg xg]dfq ge0, l9nf0sf]sf/0f dxEl j [4n]lgw]t /sdn] gku/]cfof]hg]f cw/]f]al; /xg]lyPg . csff/ cfof]hg]f sf; a)sfid uof:t/oQm klG xg]lyP . lj t/0f k]0ffnl ; sf/]ids xg] lyof]. kltJolQm cfd6ql a9g]lyof]. pbfx/0fsf nflu cf=j=@)%%.^ sf]ah6nf0{lncf}; o; j if\$]s/la #@ cj \$]f] k]f; lgs vr{6f6 s6f]l u/L !% cj {hlt lj sf; ah6df ylkG]lyof]. To:t}s/la #\* cj \$]f]sh ah6af6 xfn u/\$]vf; kFlut pknAw] s/la !^ cj \$]f]dfq ePsf]f To]a9] nueu %^ cj \$]f]xg]lyof]. Tolt nufgl Ps j if6f a9f s/la %#)) JolQmf0{yk /fhuf/ / kltJolQm cfodf b]a/ j [4 xg]lyof].

cfof]hg]nf0{fhgllts/0f ug] czj 08f ug]kl/kf6ln]pknAw] lj lxg j :tdf kFl c8\$P/ /flvPsf]5 . pbfx/0fsf nflu /fh]kf lhlnndf hxfF; #f0{ug]hlu}5g ToxfF( j 6f lhlnf :t/lo l; #f0{cfof]hg]f 5g\ k]o\$ ; /b/ Ps Ps s/f]sf cfof]hg]nf0{ ah6 gePsf sf/0f kltj if(!)..! nfv dfq lgsf; f x65 hg /sdn]tl ofhg]f ToxfF]x]llo}klG k/f x6g]V ofhg]f k/f gx6} lgsf; f /sd d/dtdf dfq vr{x65 . cfof]hg]nf0{fhgllts/0f gug]x]f/ lgsf; f /sd Pp6}cfof]hg]df vr{ug]x]f]eg] k]o\$ j if{!..! j 6f sh]k/f xg]lyP .

e]6frf/ ldnf]t]f6 x65 . /fhgllts lgot g}e]6frf/ ug{x\$]5 . pbfx/0fy{@)%\$ ; fnsf]dxn]v]fsf]k]tj hg cg; f/ & s/f6 (! nfv]sf]; g / lj b]z]l db] lq=lj=c= lj dfq:yaf6 a/fdb ePsf]f]f zt kltzt ; /fslsf cfwf/df dfq ePsf]h]?=- ! s/f6 &% nfv !# xhf/ sldzg lb0Psf]5 . ; f]sfid ug{ToxfF]j z]f k]l, e6; f/ sf0f]o, /fhZj cg; Gwfg ljefu / 5\$} k]l h:tf lj le6g Psf0x? sfo{t ePsf kF065g\ t/ Itgl? s; \$]f]sfid klG k6f] sf/L b]v]b6} .

; fj h]gs hj k]k]l]sf]prf]k]bdf ku\$]f JolQm]5f]f]cj lwdf g]lj kh ; DklQ hf6\$]f]; ah]:ki6 b]v]f 5g\ cfhg]sf]j w >f] b]v]fpg g; Sg]h]f]s]l]nf0{e]6frf/ u/\$f]7xg]sf]g6l Joj:yf xg]kb5 . o:tf]e]6frf/ ug]nf0{c]o6t s7f] b08sf] Joj:yf xg]kb5 . o:tf]b08 hgk]t]glw]j ug]/fhgllts JolQm?, bnsf sfo{ldtsf kbflwsf/lx? tyf /fhgllts lgoQm k]fpg]; a)JolQm tyf ; j;wflgs lgsfosf JolQm?nf0{c? ; ah]f0{xg]b08 hl/j fg]sf]b]a/ xg]Jo]y: yf xg]kb5 . lsg]s 3; lbg]/ 3; lng]b] /fi6sf 7hf zq' xg\ logsf]lhpwg lnP klG kfk n]l]b6} e6g]>l % j 8fdx/fh]w/fh k]j lgf/fo0f zfxsf] lb]o pkb]z]nf0{s8f0sf ; fy nfu"ul/gk5}.

pk/fQm; a)JolQm?sf]k]bj xfn] x6f ; DklQ lj j /0f lng]ug{k]b5 . o:tf]lj j /0f lnbf c?sf]g]fddf n]sfpg ; lsg]; Def]t j glhssf gft]f/sf]lj j /0f klG Ps ; !ki6 km/fd t6f/ u/L ; f6f k]z ug]k]tyf k]bj xfn] ; s]k15 Pp6f ; !ki6 lgsfoaf6 ; f] ; DklQ lj j /0f hf]f] ; xl 7x/k15 To; kbflwsf/ln]k]t k] k]fpg]/ To:tf]k]t k] k]Psf]sfuh k]z gu/] Dd csf]s]g]klG r6f] n8g] j f /fhgllts lgoQm xg] gk]fpg]sf]g6l Joj:yf xg] kb5 .

; fj h]gs k]bdf tyf e]6frf/sf]sbj}klG lgsfodf sf]d ug]sd]f/lnf0{(Career Development) sf]Jo]y: yf nfu"ug] kb5 . af/af/ c? ; j]df hfg] ; j]f kl/j t6 ug]k]k]k]sf]c6To xg] kb5 . To; f]ePdf pmk}f cfhg ug]ynf]f k]lG]k]f]g 585 . ldnf]t]f6 e]6frf/ ; Af0f xg]s/f]klG x6b5 . o:tf 7fpFf sf]d ug]sd]f/lnf0{b]z]leq}uxgtd klz]l0f lbg]/ b]z] aflx/ lg/l]f0f, c]wog / cj nf\$g u/fpg]ug{k]b5 . o; f]u/] pglx?sf]1fgdf j [4, lzkoQm tyf c]o6t blf / rt/ JolQm agfpg' kb5, hg lj Bdfg hg; S}; j]df ; ?j f xg] k]fpg]k4ltdf ; Dej b]v]b6} .

73sf k6&nf0{qmdz36p5}nu] lglZrt dfkb08, nfut 0:6d0sf cfwf/df cdfgtaf6}ug[kyfsf]lj sf; u/df xfn lj Bdfg cfofhgfsf]sh nfutsf]#) klztz sdf/f/lsf]sldzg / #) klztz 73df/sf]gfkf u/ kfo3 cfofhgfsf] ^) klztz aflxl/g]/sd yk cfofhgf kl/rfng ug{af5l a:b5 . cfofhgf kdv g]h0d]f/ xg]u/L tyf Pp6f cfofhgf g; s] Dd csf] cfofhgdf ; g{kfpfg]u/df e]6frf/sf]hfnf]f e]6frf/ lgo6of ug]Psf0{cnding'kg]lyPg .

lj bzl bft[ :yfn]k/fdz\$ (Advisor/Consultant) tyf kl]j lws k7fpg]kyfsf]c6to ug{k65 . cgbfg jf C0f ; xotfsf]/sdaf6 tna vfg]tl JolQm/ >l % sf]; /sf/sf]tna :s]h vfg]gkfnl sdf/f/lalr b0{vfn]t naeQf / ; lj wf xg'g]e]6frf/sf]d]h sf/0f xf]. ctMoft lj bzl ; Nnfxsf/ lj lxg z4 gkfnl sdf/f/ln]dfq cfofhgf ; #fng u/3f]xgkb5 of]t gkfnl ; #lg]xg kfpfg]u/L bft[; :yfn]cfofhgf k/f u/L 6g]sl (Turnkey) k4ltaf6 aemfpg]; !k6 k4lt cj n]bag ug{k65 .

sg]klg sldzg e]6frf/ xf]. sldzg k4ltsf]c6to xg'kb5 . bft[; :yf / PhQ; lx;n]gkfnf e]6frf/ 5, x6y kb5 klg e6g]tyf e]6frf/sf]; hwf/ klg ckn]xg]of]k4ltsf]c6to xg]kb5 . sg]klg t/lsaf6 lkmtf{xg]o:tf /sd sf]g6tM /fhZ] df cdfbgl ug[kl/kf6lsf]lj sf; xg'kb5 .

; dfhsf ; a]j u]t8s e8skl\$ gnfu] ; fwf / ; /n hlj g ofkg ug]; fdlhs ; :sf/sf]lj sf; ug{hgr]gf a9fpg] sfogmd ; -rfng ul/g'kb5 . o:tf sfogmdnf0{; 3fpmklg]lzl]f0f k4ltsf]lj sf; ul/g'kb5 . To; nf0{gdgf ag] ptf]g{ ; j kyd lz]fs ; dxnf0{p]k]t ug{k65 . lz]f lfnf0{kfo3 /fhglltsf]ru]h]af6 p]sfpg'kb5 . To; u/L gkfnl hghlj gdf cfly\$ p6gl]t geP; Dd, kl]tJolQm cfon]w]fng g; Sg]cj :ydf cfw]gs lj nfi; tfsf j :t' cfoft ug{/ ahf/df pknAw u/fpg ; d] kl]ta6w nufpg'kb5 .

gkfnl/ :yfo]j sfod xg]u/L tyf ; a}7p6f clg]fo{p]n]v xg]u/L 3/ gDa/ /f]g]Joj :yf xg'kb5 . kfo3 3/n] ; Dal6wt ufpF/lo /fhgllts Psf0sf]; lrf]n0df cfos/ lj j /of knf/d ; /xsf]Ps knf/d dfkn] ckn]r]rn crn ; DklQ lj j /of kZ ug{k6g]l]g0d agfpg'kb5 . o; n]c6o sltko sfosf nflu ; d] pko]ul xg]t 565 e]6frf/ u/L cfhg u/3f] /sd sxlRklg n]sfpg g; Sg]xg h65 / e]6frf/ lgo6of x65 . s]n v]P/ kr]Psf]/ lj bzl a3df /fv3f]/sd dfq ; dftb6 . lj gf ; j]ls]t lj bzl a3df /x3f /sd sf]g6tMhkn]t xg]tyf v]Psf]dfq /sd Toit 7hf]xg g; Sg]ePaf6 of]k/f lgo6of g]xg h65 .  
e)\$^ ; fndf axbnlo Joj :yfsf]kg :yfkf kZrft kl]ft6qdf kf/bzl{fnf0{; j]hgZln eP/ x6]Joj xf/ cl]vtof/ ug]lgl]t cj n]jg u/3f]5 . kf/bzl{fsf]nflu of]c]to6t cfj Zos s/f]klg xf].

/fhglltn]e]6frf/nf0{arfpg rfxg eg]e]6frf/sf]c? sg]cf]fwl x6y, pkfo x6y . /fhglltsf]kl]tj 4tf / b9tf g} e]6frf/ p6dhgsf]d]vo pkfo xf]. To; f]xg /fhgllts To]usf]h; /t kb5 . To; f]ePdfq ablgot dg]bz]f ePsf]n]/fhgllt ug{5f85g\ e]6frf/ ; Af0fsf]rqn t]f]865 . r6j df w]w]n]l x6y . k}f / j nsf]/fhglltsf]c6to x65 .

k}f ePk]5 h]klg ; Dej 5 . k}f ePk]5 ; xh}r6j] lh]t65 . ctMbn]n] /fhgllts kn08u hDdf ug{k65 e6g]dg]f] ; f kfo3 bnsf kfo3 g]t]df ; zQm z]kdf lj Bdfg 5 . To; h]k]fotsfndf nls]5k 3' vfg]ub]y]eg]axbnlo Joj :ydf vhf]d h:t]ePsf]5 . o; s/fnf0{cem k]6 kfg{d @)%\$ ; fn r} !\$.!% ut3f]s]f]tk/df k]s]lzt ..d6qnosf]p2]o g} t:s/L u/fP/ /fhgllts kn08 hDdf ug]ePk]5u] z]l]f\$ j]so pb]t ug{r]x65' ..cy{/ u]x d6qnosf]/fhgllt tx g]dnl b]z]sf] Ps dfq clt ; j]hgZln df]gg]l]qej g c6t/f]60 lj dfq:yn e6; f/ t:s/lsf]; /l]ft dfu{a6g ; Sg]; De]j gf g}56 . j fdb] / zdf]f]sfo\$ndf #) cj \$f]; j j]w]f]gs af6]af6 gkfn le]qPsf]lyof] eg]e) cj \$f]; g cj]w af6]af6 . t/ j fdb] x6] v]daxfb/ v8sf u]x]d6q] ePk]5 gkfn]eq ; g le]q]cj]w af6]cem kn]f]sn]eof]eg]/fhZ] ; S] ; /sf/ cy{6qnf0{w]fng g; Sg]cj :ydf kl]of]. u]x d6qnosf]/fhgllts txsf]p2]o g}t:s/L u/fP/ /fhgllts kn08 hDdf ug]ePsf]5 . l]pQm j]so g}gkfn]sf]/fhgllts e]6frf/sf]lrq0fsf]5n{ g]d]f dfng ; ls65 . /fhgllts kl]tj 4tf kfo3 bndf af]b]ids agfpg'kg] cfhsf]v]f]f]ePsf]5 .

r6j] vr{af/] / r6j] k]f/z]l]af]/sf]g6n]g]a]5l xfn]g'kg]b]l]v65 . r6j] k]f/df bn jf pDd]j]f/sf]lj rf/ af]3f]f] 3f]f]f]kq af]3f] c? sg]klg k]f/ d]w]odnf0{kl]ta6w nufpg kg]b]l]v65 . lo:tf]3f]f]f]kq kfo3 kl]j/f/nf0{xhfs-af6 k7fpg >l % sf]; /sf]n]a]f]otdf em]xhfs l6s6 lgl]z]ls ul/lbg'kg] / pDd]j]f/ jf bnn]af]5l k]f/ sf]ddf Ps z]k]f]klg vr{ug{ k]f]pfg]Joj :yf eP dfq wj]fbl r6j] lj rf/j]fbl r6j] df kl]j t6 ug{; lsg]5 . o; f]ePdf wg ePsf x6]n]dfq x]j]l xg ; Sg]lj t6f]g k]h]ft6qdf wg gePsf t/ lj rf/, a4l / lj j]3 ePsf]n]klg efu lng ; Sg]5gV ; G]t]nt kl]t]glw]j x65 . e]6frf/sf] lj /w]df lj wfosx6 klg ; zQm xg]5gV /fhgllts kl]ta4tf klg a9y]5 .

**kfb l6kk0fl**

!= Tulsī Narayan Shrestha, Nepalese Administration: An Image, Sajha Prakashan, 2038 BS, p. 350

@= A Dictionary of Social Science, Free Press, Newyork 1964, P. 140.

#= Sambhunath Jha, Some Aspects of Corruption, Bharat Sewak, Year,10, No.12, 1963, p.24

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