

## Strengthening the Legal System in Nepal, 367-0150

Project is supporting legal activities of the Supreme Court, the Ministry of Law & Justice, and Nepal Women's Organization. Project is funded under special Human Rights account in Selected Development Activities.

Ministry : 1. Ministry of Law & Justice  
2. Supreme Court of Nepal  
3. Nepal Women's Organization/Women's  
Legal Services Project

AID Grant : \$536,000

GON Contribution : \$103,000

Total Project Cost : \$639,000

Project Duration : FY 1983 - FY 1987

Project Location : Kathmandu

Major Project  
Components : 1. Publication of Legal Documents  
2. Legal Research/Surveys  
3. Establishment of Press System  
4. Legal Literacy Campaign

AID Project Officer : Tri Ratna Tuladhar

NOTE: Please see attached Project Proposal for three different project activities.

*Final*

PROPOSAL  
for  
STRENGTHENING THE NEPALI LEGAL SYSTEM  
by  
GRANT UNDER SECTION 116(e) OF THE  
FOREIGN ASSISTANCE ACT OF 1961  
as amended

Syllabus

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I. Introduction

A. Section 116(e) of the Foreign Assistance Act

Section 116(e) of the U.S. Foreign Assistance Act of 1961, as amended, authorizes small grants "for studies to identify, and for openly carrying out, programs and activities which will encourage or promote adherence to civil and political rights, as set forth in the Universal Declaration of Human Rights."

The goals of the U.S. Agency for International Development (AID) in implementing section 116(e) are described in the document "AID Human Rights Projects Policy Guidelines and Procedures" issued in May 1982 and in a letter from the Administrator to Hon. Don Bonker, Chairman of the House Subcommittee on Human Rights and International Organizations of the Committee on Foreign Relations dated June 11, 1982. This letter and the Guidelines emphasize that in carrying out section 116(e) through specific grants, AID aims to strengthen host country legal systems by assisting the host country to establish fundamental principles of law and to establish a strong and independent legal tradition, including an independent judiciary which is capable of developing and sustaining a fair legal system offering equal protection of the law to all. As stated by the Administrator in his letter, "(w)e do believe that strengthening legal systems, and particularly strengthening the independence of the judicial branch of government, is an effective way of promoting greater observance of human rights."

A second major type of activity emphasized in the Guidelines as important to promoting adherence to human rights are "programs which educate the citizenry in recipient countries to know and understand their rights and take advantage of the protections offered under such systems."

The major thrust of the following proposal is the publication and distribution of copies of statutes, regulations and court opinions by the Supreme Court and Ministry of Law and Justice of Nepal, with the aim of increasing knowledge of the legal system among all Nepalis, from judicial officials to village laborers. These activities are entirely consistent with the major section 116(e) policy of strengthening host country legal systems, particularly the judiciary, and education of the citizenry about their legal systems. The balance of activities proposed are procurement of legal materials and equipment for libraries, study tours to the U.S. and India, and legal research into areas of Nepali law which concern protection of human rights to life and property. These are closely modelled on the additional activities described in the Guidelines as examples of projects properly funded under section 116(e).

## B. The Legal System in Nepal

The judicial system of Nepal, established by section 68 of the Constitution of Nepal and the Judicial Administration Reforms Act, consists of courts at four levels: District Courts in 75 districts, Zonal Courts in 14 zones, Regional Courts in 5 regions and the Supreme Court in the capital, Kathmandu. The procedures for litigation in Nepal, which provide for pleadings by both parties, oral argument before the court, written decisions and appeals to higher courts, are outwardly similar to those of the common law legal systems (e.g. India, U.K., U.S.A.). The statutory law of Nepal is based on Hindu jurisprudence, codified in the Muluki Ain (National Code), to which a mixture of Moghul and British concepts have been added, plus a large body of new statutory material unique to Nepal created under the present Panchayat Constitution.

Although the total amount of current statutory and case material is small, case, statutory and regulatory law are all developing rapidly. For example, new laws and regulations concerning elections have been enacted and promulgated at a much faster rate after the Third Amendment to the Constitution than before, because the Amendment extended and enlarged the franchise both in elections for Panchayat representatives, including direct election of members to the Rastriya Panchayat (National Legislature), and for representatives of Class Organizations. As well, many new laws and regulations concerning economic development (e.g., regulations regarding community forests, the creation of advisory boards for family planning projects, laws and regulations concerning Government corporations engaged in the import or export of essential commodities, etc.) have come into effect during the last few years. The Nepali judiciary must decide cases upon and interpret these new statutes and regulations, in addition to adjudicating the large number of cases filed under the Muluki Ain (National Code) addressing the traditional subjects of family law, division of property, land disputes and criminal cases. Hence the Nepali legal system is at once both a traditional and a new and dynamic one. The number and range of matters decided by the Supreme Court and other Nepali courts, as described in the Annual Report of the Supreme Court for 2037-2038 Bikram Sambat (1980-81 A.D.) are impressive; yet there are ways in which the Nepali judicial system can be strengthened to give full effect to the growing body of statutory, regulatory and case law of Nepal.

Similarly, the work of the Ministry of Law and Justice is expanding in complexity and volume. The Ministry is charged with the duties of drafting statutes and regulations for the Government of Nepal, and publishing the same after approval by the Rastriya Panchayat (National Legislature) and enactment

into law by the King. The Ministry both drafts new laws and regulations on its own initiative, and checks and refines drafts submitted by other Ministries. Through its subagency the Law Books Management Committee, the Ministry of Law and Justice must assure that accurate copies of all statutory and regulatory material are published and made available throughout the Kingdom.

C. The proposal offers to strengthen the Nepali legal system by funding the following activities with two parallel grants under section 116(e):

Supreme Court of Nepal

1. Publication of the most important precedential decisions of the Supreme Court and other Nepali courts for the years 2013-2039 B.S. (1956-1982 A.D.).
2. Improvement of the Supreme Court Library by training a full-time librarian in library science as applied to legal materials, cataloguing and arranging existing materials in a useable manner, acquiring additional legal materials on human rights and other matters, and by supplying bookcases, reading tables, chairs and a card catalogue.
3. A short study tour to Delhi and Lucknow, India for the Chief of the Supreme Court Research Section and an assistant, to law schools, the Indian Supreme Court, and other Indian government offices to study legal research methodologies used in India.
4. Surveys in 10 to 15 District Courts of murder and land water rights cases decided during 2039 B.S. (4/82 - 4/83) to identify the most common causes for murder, and of land and water rights disputes, in order to determine ways by which appropriate law reform could lessen the incidence of these cases.
5. A four week observation tour of the American Judiciary for three officials of the Supreme Court.

Ministry of Law and Justice of Nepal

1. Increased publication of Nepali statutory and regulatory law, so that all volumes of current laws and regulations will be available for sale and distribution throughout the Kingdom.
2. Grant-in-aid and procurement of equipment and parts necessary to an offset press system, with provision for appropriate installation, maintenance and training.
3. Purchase of American legal materials, including the U.S. Code, relevant to statutory and regulatory drafting.

4. Research on problems of water rights (access to and fair distribution of drinking and irrigation water), in cooperation with the Ministries of Water resources, and Panchayat and Local Development, with the aim of producing draft regulations or statutory changes which will alleviate the problems identified.
5. An observation tour of the American legislative and rule-making processes for the Secretary and one other official of the Ministry of Law and Justice.

II. Budget Summary\*

	AID Project Cost	<u>P.L.-480</u>	<u>GON</u>
A. <u>Supreme Court of Nepal (SCN)</u>			
1. <u>Publication of Supreme Court Opinions</u>			
a. Two volumes 2013-2039 B.S. (1956-1982 A.D.)	\$15,000		
b. Annual Supplement 2040 B.S. (1983-1984 A.D.)	\$ 4,000		
c. Kanun Patrika	<u>\$15,000</u>		
Sub-Total:	\$34,000		
2. <u>Improvement of the Supreme Court Library</u>			
a. Equipment	\$ 6,000		
b. U.S. Legal Materials	\$ 6,000		
c. Training in Library Science		\$ 3,100 to 6,200	
d. Airfare			
Sub-Total:	<u>\$12,000</u>		\$ 264
3. <u>Study Tour on Research Methodology</u>			
a. Reproduction	\$ 500		
b. Stipend in India		\$ 825	
c. Airfare			
Sub-Total:	<u>\$ 500</u>		\$ 528
4. <u>Survey of Murder and Land Cases</u>			
a. Consulting Services	\$47,500		
b. Printing Final Report	<u>\$ 2,500</u>		
Sub-Total:	\$50,000		

\*U.S. \$ 1 = Nepal Rupees (NRs) 14.2 throughout this proposal.

	<u>AID Project Cost</u>	<u>P.L.-480</u>	<u>GON</u>
5. <u>Observation Tour of the American Judiciary</u>			
a. Airfare	\$ 7,500		
b. Per diem	\$ 7,410		
c. Incidental expenses	<u>\$ 2,090</u>		
Sub-Total:	\$ 17,000		
Totals:	\$113,500	\$ 3,925 to	\$ 792 plus
Contingency:	<u>\$ 16,500</u>	\$ 7,025	NRs.32,000
	<u>\$130,000</u>		
SCN Total Project Cost:	\$130,000	\$ 3,925 to	\$3,046
		\$ 7,025	
B. <u>Ministry of Law &amp; Justice (MLJ)</u>			
1. <u>Contribution to Working Capital of Law Books Management Committee</u>	\$100,000		NRs.600,000**
2. <u>Grant and Purchase of Offset Press System</u>			
		<u>Grant-in-Aid</u>	
a. Grant-in-Aid of Press, Camera, and Platemaker		\$ 30,000	Cost of Building
b. Local Contracting Services for Installation, Maintenance and Training	\$ 13,000		
c. Spare Parts and American Technician if necessary	\$ 30,000		
d. Additional Equipment and Freight	<u>\$127,000</u>		
Sub-Total 2(b)-(d):	\$170,000		

\*\* Estimate of current HMG/N level of support.

	<u>AID Project Cost</u>	<u>P.L.-480</u>	<u>GON</u>
3. <u>Procurement of U.S. Legal Materials</u>	\$ 6,000		
4. <u>Research on Water Rights Law</u>			
a. Per diem, airfare reproduction	\$ 7,000		
b. Stipend in India		\$ 464	
c. Airfare			\$ 215
d. Consulting Services	\$ 30,000		
Sub-Total:	<u>\$ 37,000</u>		
5. <u>Observation Tour of the U.S. Legislative and Rule-making Processes</u>			
a. Airfare	\$ 5,000		
b. Per diem	\$ 4,940		
c. Incidental expenses	\$ 2,060		
Sub-Total:	<u>\$ 12,000</u>		
	Totals:	<u>\$30,000</u>	
	Contingency:	<u>\$ 45,000</u>	
		\$370,000	
	<u>MLJ Total Project Cost:</u>	<u>=====</u>	
	\$370,000	\$30,464	\$100,000
<b>Total for Both:</b>			
A. Supreme Court of Nepal:	\$130,000		
B. Ministry of Law and Justice:	\$370,000		
<b>GRAND TOTAL:</b>	<u>=====</u> \$500,000	<u>=====</u> \$37,489	<u>=====</u> \$103,046
			( 43,260 )

### III. Proposal With Budgets

#### A. The Supreme Court of Nepal

##### 1. Publication of Precedential Opinions of the Supreme and Other Courts

Central to the concept of uniform application and interpretation of law is the idea of judicial precedent or stare decisis: that courts decide like cases in a like manner, and that lower courts follow the guidance of previous opinions of higher courts in deciding similar subsequent cases. Without adherence to judicial precedent, each judge would be free to decide any case according to his or her whim or pleasure, and to disregard contrary opinions of higher courts, or even of the same court in like cases. Stare decisis is the primary judicial doctrine which counters the tendency toward disparate, conflicting opinions on the same point of law, and by which higher courts can "settle" a point of law and require lower courts to apply uniform principles in similar cases. Judicial precedent thus promotes the establishment of decided principles of law, and their fair enforcement and application to all citizens.

Nepal adheres to the principal of judicial precedent, as stated in section 1.3(a) of the Supreme Court Annual Report 2037-38 B.S. (1980-1981 A.D.), page 2. The Supreme Court has published its selected opinions in the "Nepal Kanun Patrika" since 2025 B.S. (1968 A.D.). The "Kanun Patrika" appears monthly and contains five to ten opinions per issue, for an annual total of 60-90 opinions. These are intended to be available at all of the courts of Nepal. However, because the "Kanun Patrika" contains only a limited number of Supreme Court opinions, and because single monthly issues are easily lost or misplaced, a comprehensive compilation of the most important Nepali judicial precedents does not exist at most courts in Nepal. Further, once an edition of the Kanun Patrika is out of stock, it is not reprinted, so that it may not be possible for a new judge or lawyer to purchase or assemble a comprehensive set of precedential Supreme Court opinions.

In order to provide a comprehensive compilation of leading Nepali judicial precedents, the Supreme Court could publish selected opinions of the Supreme Court and other courts for the years 2013 B.S. (1956 A.D.), the year the present Supreme Court was constituted, through 2039 B.S., which ends in mid-April, 1983 A.D. The Research Section of the Supreme Court, under the guidance of the Chief Justice and the other Justices of the Supreme Court or other persons designated by the Chief Justice, could select the opinions to be published from previous editions of the "Kanun Patrika", and from

court records or other sources. The opinions should be arranged chronologically by topic in two volumes, and should be indexed by name, topic and statutory or regulatory section. The Constitution, with the First, Second and Third Amendments, could be reproduced in a separate chapter together with important judicial decisions concerning each Section. An estimated maximum of 225 opinions would be reproduced (eight opinions per year for 27 years); but the guiding principle in choosing opinions would be selection of leading cases which should be regarded as precedent, rather than selection of any arbitrary number of cases.

Publication of Supreme Court opinions in the "Kanun Patrika" could also continue on an increased scale. Ideally, all opinions of the Supreme Court should be printed. However, because of cost constraints, the Supreme Court could aim to treble the number of opinions published per year, up to a maximum of 200 to 225 opinions in 2040 B.S. (1983-1984 A.D.), about 10% of the total number of opinion rendered per year. As the end of 2040 B.S. the Supreme Court could also publish an Annual Supplement to the basic volumes covering 2013-2039 B.S., selecting the most important decisions of each category and arranging them in the same manner as the main volumes. The Annual Supplement would contain about 50 opinions.

Copies of the 2013-2039 volumes, the 2040 Kanun Patrika, and the 2040 Annual Supplement would be distributed to all judges and Government attorneys and to other officials of His Majesty's Government of Nepal (HMG/N) who have need of them. 2000 copies of each volume would be printed. Extra copies would be offered for sale to the public at the Supreme Court, the Law Books Management Committee and book stores throughout the Kingdom. Prices would be sufficient to cover costs and the proceeds of sale would be used to support publication of the Kanun Patrika and Annual Supplement in succeeding years.

Budget for Publication of Precedential Supreme Court Opinions

a. Two-volume set 200 to 225 opinions for the period 2013-2039 B.S. (1956-1982 A.D.) reprinted in two volumes of 500 pages each, 2000 copies, with full cloth binding:

NRs.	200,000
equals	\$ 14,086 @ 14.2
or approximately	\$ 15,000

(Based on a quote from Joshi Mudranalaya (Pvt.) Ltd., Lalitpur, Nepal)

b. Annual Supplement, 2040 B.S. (1983-1984 A.D.) one volume of 250 pages, 2000 copies, with full cloth binding:

NRs. 50,000  
 equals \$ 3,521 @ 14.2  
 or approximately \$ 4,000

(From Joshi Mudranalaya quote).

c. Kanun Patrika, 2040 B.S. (1983-1984 A.D.), 200-225 opinions in 12 monthly issues plus one extra issue, 2000 copies:

NRs. 228,800

Based on several quotes and calculated as follows:

Per 1000 copies

i. Composition and Printing 13 forms x NRs.300=NRs.	3,900
ii. Binding 13 forms x NRs. 60	=NRs. 780
iii. Paper 13 reams x NRs.220	=NRs. 2,860
iv. Cover Paper	NRs 1,260
	<hr/>
2000 copies	NRs. 8,260
	<hr/>
	x 2
	<hr/>
13 issues	NRs. 17,600
	<hr/>
	x 13
	<hr/>
Less. HMG/N contribution	NRs. 228,800
	NRs. 32,000
	<hr/>
	NRs. 196,800
	NRs. 200,000
	\$ 14,086
	\$ 15,000

Revolving Funds and Pricing Policy

The sale prices of the two volumes of opinions (2013-2039 B.S.) and the 2040 B.S. Annual Supplement will be set at levels so that the revenues generated from sales can support publication of Annual Supplements for future years and a reprinting of the two main volumes when their stock dwindles. Income from sales will be placed in a project revolving fund to be operated by the Research Section of the Supreme Court for publication of judicial opinions.

Prices of each successive printing of the Annual Supplement would be adjusted in order to keep the fund at the level necessary to support future publications. Prices for the initial two-volume set and the 2040 Annual Supplement could be set as follows:

a. Two Volume Set

2000 sets  
less 400 Government attorneys and judges  
less 100 Spoilage  
1500 Copies for sale

Total Cost: NRs. 200,000  
Cost per set = NRs. 200,000/1500 = NRs. 138  
Sale price: NRs. 75 per volume  
NRs. 150 per set  
Gross revenue from sale of 1500 sets  
@ NRs. 150: NRs. 225,000

b. Annual Supplement 2040 B.S.

2000 Copies  
less 400 Government  
less 100 Spoilage  
1500 Copies for sale

Total Cost: NRs. 50,000  
Cost per copy = NRs. 50,000/1500 = NRs. 33  
Sale price: NRs. 40  
Gross revenue from sale of 1500 copies  
@ NRs. 40: NRs. 60,000

The sale price of each monthly issue of the "Kanun Patrika" must also be set at a level which will generate enough income to support the publication of future issues. The price of the first 13 issues could be set as follows:

c. Kanun Patrika

2000 Copies  
less 400 Government  
less 100 Spoilage  
1500 Copies for sale

Total Cost NRs. 228,800  
Cost per set of 13: NRs. 228,800/1500 = NRs. 152.2  
Cost of per copy 152.5/13 = NRs. 11.73  
Sale price: NRs. 13 per copy of each issue  
Gross revenue from sale of 1500 sets of 13 issue  
@ NRs. 253,500

If the offices of judges and Government attorneys were charged for books they received, the prices of books sold to the public could be lowered. The Supreme Court and the Office of the Attorney General could together determine whether or not judges and Government attorneys should be charged.

A second revolving fund would be set up by the Kanun Patrika Editorial Board of the Supreme Court to receive revenues from the sale of the "Kanun Patrika" and support its continuous publication. Loans or transfers between the two revolving funds could be arranged if one fund needed more capital but the second held a surplus. The Editorial Board would set pricing policy for the Kanun Patrika and policies for operation of the revolving funds. Thus the Supreme Court would not need annual appropriations from the HMG budget in order to publish the opinions, Annual Supplements, and the Kanun Patrika, because the two revolving funds would become self-sustaining. In the first year of publication, however, HMG would contribute to the Kanun Patrika revolving fund at the rate of NRs.32,000 (the level of support during fiscal year 2038-39).

## 2. Improvement of the Supreme Court Library

HMG/N has recently completely renovated the Supreme Court Building, which has become one of the most modern office buildings in Kathmandu. The Library, now located in a large room on the top floor of the north wing, contains volumes of the All India Reports and the All England Reporter for several years arranged by volume, number and year, and an assortment of various legal treatises, statute books, horn books and legal commentary, primarily from India and England, placed in book cases without arrangement. There are very few Nepali legal materials (statute books, copies of the "Kanun Patrika" and the legal commentary "Nayayadut" or other Nepali legal publications).

The Supreme Court Library should and could be the best legal library in the Kingdom, and the focal point for legal research done by the private bar, authors, judges and Government attorneys. Many of the books held by the Library are potentially useful to judges, lawyers and the public, but are lying unused because no one can find the appropriate volume. The Library needs: 1) a card catalogue, 2) more stacks (book cases) to shelve books arranged according the card catalogue system,

3) a Nepali legal section, with several (at least 10) copies of all current Nepali legal materials, including statutes, regulations, the Rajpatra (Government gazette), Supreme Court opinions, scholarly publications, treatises, etc., 4) more tables and chairs so that 20-30 persons could conduct research at the same time, 5) a system for judges only to check out books from the Library for use within the building.

The Supreme Court could also train a Section Officer from the Research Section (since this Section is in charge of Library operations) in library science with emphasis on the operation of a legal library. Training would include the organization and operation a card catalogue, categorization of new acquisitions, repair of books, procurement of new materials, etc. Such training could be best done in India, and could be financed by the AID Mission under its Participant Trainee Program. The person trained should agree to oversee operations of the Supreme Court Library for at least two years after return from 1-2 years training in India leading to a Bachelor's degree in Library Science.

The AID Mission could also finance acquisition of legal materials from the U.S.A., particularly those dealing with human rights. The Chief Justice and Research Section could determine what kinds of legal materials the Supreme Court Library should acquire for comparative study (e.g., U.S. Code, digests of American law, textbooks on constitutional law).

Budget

a. Equipment

i. Card Catalogue, 12 drawer with stand - (1)	NRs. 2,400
ii. Book Cases, 7'x10' - (8) Rs.6,000.00 each	48,000
iii. Reading Tables, 4'x8' with Formica top - (8) Rs.2,250.00 each	18,000
iv. Chairs - (50) Rs. 150.00 each	7,500
v. Newspaper Reading Stands - (2) Rs. 800.00	<u>1,600</u>

NRs. 77,500  
equals \$ 5,458 @ 14  
or approximately \$ 6,000

b. Procurement of Legal Materials

from the United States concerning human rights, constitutional law, or other topics

(11/10/73)  
\$ 6,000

Sub-Total: \$12,000

c. Training for one Section Officer in library science, with emphasis on legal materials, in India. The trainee would earn a Bachelor's degree in library science. Training would be for one or two years, and would be arranged and funded under the AID/Nepal Participant Trainee Program by the Training Section of AID/Nepal. The Participant Trainee Program uses Indian Currency (IC) owned by the U.S. Government to finance training in India. The Program has operated successfully for many years, and has offered hundreds of Nepalis training in a wide variety of fields at Indian institutions. By the terms of an agreement with AID/Nepal, HMG/N pays for the cost of airfare as far as points serviced by RNAC and continues to pay the salary of HMG/N employees while in training. AID pays a monthly subsistence stipend of approximately Rs.1,000 IC per month.

A yearly budget for one trainee would total approximately:

i. P.L.-480

Trainee's stipend, tuition, health insurance, bicycle allowance, etc. (estimated) Rs.30,000 IC = \$3,093, say \$3,100. Two year's training would cost approximately \$6,200.

ii. GON

Round trip airfare KTM/Delhi/KTM \$ 264.

3. Study Tour for Research Section Chief and Assistant in Legal Research Methodology in Delhi and Lucknow, India

In order to improve the ability of the Research Section of the Supreme Court to analyze the cases decided at all levels of the Nepali judicial system, with a view toward identifying areas of Nepali substantive or procedural law which need reform, a study tour to acquaint the Research Section Chief and an assistant with Indian legal research methodologies,

priorities and topics should be undertaken. The current Chief recently received an LLM at Lucknow, and is thus familiar with Indian law and Indian legal materials, able to study Indian research methodology in both English and Hindi. Further, because the Nepali judicial system has borrowed concepts from the Indian system, and because AID/Nepal has a relationship to Indian governmental and educational institutions through the Participant Trainee Program, a study tour in Delhi and Lucknow would be most productive and practical. AID/Delhi staff, particularly the Indian lawyer on the AID/Delhi staff, could assist the Research Section Chief to plan and carry out a two-month study tour for two persons.

Budget

a. P.L.-480

Stipend, health insurance, ground transportation (in and between Delhi and Lucknow), two persons for two months (P.L.-480, estimated) IC 8,000 = \$825

b. AID Project Cost

Purchase or Reproduction of legal materials (Project cost) = \$500

c. GON

Round trip airfare KTM/Delhi/KTM for two: 2 x \$264 = \$528

4. Survey of Land, Water Rights and Murder Cases Decided by District Courts During 2039 B.S. (1982-1983 A.D.)

The Supreme Court of Nepal established a Legal Research Section in 2037 B.S. (1980 A.D.). The Research Section now collects several types of data on cases decided in all of the courts of Nepal; the Annual Reports of the Supreme Court amply demonstrate the capacity of the Nepali judicial system to monitor the flow of cases through its various levels. For example, statistics are collected for all courts on the age, qualifications and length of service of all judges; the numbers of appeals as of right and by permission; the number and types of cases involving the exercise of original jurisdiction by the Supreme Court; the number of cases referred to the Supreme Court for review of life imprisonment, confiscation of entire property or death sentence; the number of cases referred by His Majesty the King; the number of civil criminal cases decided by Regional, Zonal and District Courts by region; the number of cases annually

filed, decided and still pending in each District Court; the totals of cases by amount in controversy by region; and a listing of cases by type for the Supreme Court and for the Regional, Zonal and District Courts in each region.

The statistics classifying cases by type are most interesting, because they show that cases involving land, and murder cases, are by far the most prevalent\* (except for Zonal Courts, which have no authority to try or review murder cases.) This leads to the question of what research the Supreme Court could perform in order to determine the most prevalent causes, or at least the most prevalent types of disputes, which give rise to murder and land cases, in order to make recommendations for law reform to reduce the incidence of these cases.

For this purpose, the Research Section of the Supreme Court could design and carry out a sample survey of murder, land and water rights cases decided by 10 to 15 District Courts, perhaps in two or three Districts in each of the five Development Regions. The services of a local Nepali consulting firm with experience in designing and carrying out field surveys could be used to help in designing survey questions and to conduct a review of 20 to 30 case files on each topic in the Districts chosen by the Supreme Court. The Research Section would then analyze the results and submit a report with recommendations.

For murder cases, the survey could gather data on such topics as:

- a. Relationships between victim and criminal (by blood or marriage, friendship, caste, sexual relations)
- b. Circumstances of the crime (day/night, alone/in a crowd, inside/outside, home/office, type of weapon)
- c. Characteristics of victim and criminal (age, sex, education, caste, economic status, etc.).

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\* There is also a large number of "other" types of cases (20 to 40 percent of the totals) appearing in the classification table for courts at each level. Refinement of the data collection procedures of the Nepali judicial system is needed here, expanding the range of types of cases reported, so that new problem areas in the developing legal system of Nepal can be identified, and corrective action taken, before the courts are flooded with new cases. For example, disputes over rights to drinking and irrigation water are widely perceived to be related to land disputes, and often the cause of violent crimes. This survey will therefore include analysis of cases concerning water rights, to determine their relationship, if any, to land disputes and criminal cases, including murder.

- d. Nature of dispute between criminal and victim (murder incident to another crime such as robbery, sexual dispute, economic dispute and over what property, intra-or-inter-familial dispute, etc.).
- e. Possible motive of criminal (familial, sexual, economic, not ascertainable, etc.).
- f. Statutory or regulatory law involved.

The causes and motives behind each and every crime, of course, cannot be known. However, if the Research Section could identify the most prevalent causes and motives for murder through a sample survey, this knowledge could assist the Government to design means of preventing crime. For instance, in the rice planting season, it is commonly thought that much crime (murder, assault) originates in disputes over access to drinking and irrigation water, or disputes over boundaries between plots of land. However, this has never been statistically proven. Systematic research to identify prevalent causes of crime could demonstrate more specifically the types of situations which give rise to land, water or other disputes, and thus areas in which law reform is needed.

Similarly, an estimated two-thirds of all civil land cases are generated by the discrepancy between the last two land surveys, the first completed in 2000 B.S. (1943 A.D.) and the second in 2021 B.S. (1964 A.D.). The Land Revenue Office uses the first survey and the Land Reform Office the latter, but the two do not match. Discrepancies between the surveys have caused an increasing number of land disputes over the years as land is sold or alienated. Yet no systematic analysis has been undertaken of the number and percentage of land cases related to the variance in surveys, of the defects in the surveys which cause particular types of disputes, and of possible ways to resolve these cases by new legislation or by resurvey. The Supreme Court Research Section could contribute to a solution of this problem by conducting a pilot survey in several District Courts, carried out simultaneously with the survey of murder cases, with the aim of recommending a method for reconciling the surveys, and thus reducing the vast number of land disputes clogging the Nepali courts today.

An analysis of cases concerning disputes over water rights would seek to identify the type of dispute causing the case (dispute over well, drinking water source, irrigation canal, new or old tap, etc.), the relationships between the

parties (familial, caste, wealth, geography, etc.), customary law on the subject of the dispute, statutory or regulatory law considered in the decision, if any, relationship to co-existing land dispute, and connection to violent crime, if any. The results of this analysis could assist efforts to draft new laws and regulations governing water rights.

Budget

a. Services of a Nepali consulting firm specializing in survey design, field research, data collection and analysis; ten field researchers and two supervisors for six months. Salary, travel, per diem, office supplies, typing and duplication all-inclusive (estimated based on Health Sector survey):	\$47,500
b. Cost of printing 500 copies of final report (estimated):	<u>\$ 2,500</u>
Total	\$50,000

5. Observation Tour of the American Judicial System for Officials of the Supreme Court

AID/Nepal proposes a four week tour of the Federal and selected State judicial systems for three officials of the Nepal Supreme Court in order to observe several aspects of the judicial administration of these systems and to exchange views with State and Federal judges and judicial administrative officers. The tour would be organized and carried out by AID with the assistance of the U.S. Department of Justice and the Federal Courts. The Supreme Court of Nepal could send three officials for the tour, the Registrar of the Supreme Court, the Chief of the Research Section, and a Supreme Court Judge or administrative official. These officials could visit Federal Courts in the District of Columbia: the District Court, Court of Appeals for the D.C. Circuit, and the U.S. Supreme Court. For comparison to the Federal system, observation of State court systems could be arranged in two States, such as in Maryland or Virginia, close to Washington, D.C., and in New York, which has one of the largest State court systems.

Aspects of these judicial systems which the visiting Nepali judicial officials could observe and discuss with American judicial officials (both judges and administrators) could include the scheduling of cases for hearings and trials, caseload management, record keeping, the preservation of evidence and files from lower courts upon appeal, enforcement of local and foreign judgements, the selection and training of judges, the use of law clerks to assist judges in legal research, the competence and discipline of attorneys, bail and sentencing practices, access to courts for persons of low income, current problems of judicial administration during a period of increasing litigation, special purpose courts (e.g., the Family Court in New York State, or the Federal Tax Court), or any other topic concerning the American judicial system of interest to the visiting officials. Before leaving for the tour, the Supreme Court officials selected for the tour would inform AID/Nepal what topics were of special interest to them, so that the tour could be planned accordingly.

In addition to Federal and State courts, the Nepali officials could visit law schools, law firms and other independent organizations or foundations engaged in legal research (whether for scholastic or litigation purposes), to see how their research contributes to the growth of law. Depending upon interest, visits to regulatory agencies which have administrative hearings (the Social Security Administration or the Environmental Protection Agency, etc.) could also be scheduled.

Budget

a.	Round trip airfare KTM/WASHDC/KTM including stopover in Europe in route \$2500 x 3	= \$7,500
b.	Per diem at U.S. Govt. rates	
i.	London 2 days x 3 @ \$110	= \$ 660
ii.	Washington, D.C. and New York City 30 days x 3 @ \$ 75	= <u>\$6,750</u>
	Sub-Total:	\$14,910
c.	Incidental expenses (ground transportation Washington, D.C. to New York, purchase of legal materials, services provided by other government agencies, etc.)	= <u>\$2,090</u>
	Total:	\$17,000

B. Ministry of Law and Justice of His Majesty's Government of Nepal

1. Increased Publication of Laws and Regulations

The cornerstone of any legal system is public awareness of the law: law must be accessible and known by the public if it is to be respected and obeyed. The Law Books Management Committee of the Ministry of Law and Justice publishes the Constitution of Nepal, the official volumes of Nepali statutes with annual supplements, and similar volumes of Nepali regulations. Currently enacted statutes, regulations, orders and administrative notices are published in the "Rajpatra", the Government gazette similar to the American Federal Register, and are subsequently included in the statutory and regulatory volumes. But a time lag frequently occurs between publication in the Rajpatra, and appearance in the statutory or regulatory volumes; in some cases regulations or statutes appearing in the Rajpatra are incorporated years later into the permanent volumes. Because of the lack of sufficient working capital, the Law Books Management Committee (LBMC) can publish only a limited number of volumes each year and cannot reprint volumes as they are required. Hence copies of many volumes are frequently out of stock and unavailable for sale or acquisition by Government officials, lawyers, or interested members of the public.

With an increase in its working capital, the LBMC could publish as many copies of current statutory and regulatory volumes as are necessary to eliminate the current lack or undersupply of each volume, so that existing Government and private stores would be fully stocked and such legal materials would be easily available to anyone who wants copies. New copies of all statutory and regulatory volumes would be distributed to all judges and Government attorneys.

The Law Books Management Committee operates as a semi-autonomous Government agency under the supervision of the Ministry of Law and Justice (MLJ). The LBMC presently has working capital of approximately NRs. 600,000 (US\$42,253 @ 14.2) if cash and existing stock of books are counted. The primary problem of LBMC is that once it has invested its capital (which it utilizes as a revolving fund) in the publication of certain volumes, it cannot publish other volumes or reprint volumes previously published until it receives the proceeds of sale from the volumes currently in stock.

In order to keep all necessary volumes in stock the LBMC should publish the following volumes each year:

a.	Muluki Ain (National Code)	1
b.	Ain Sangraha (Statutory Volumes)	11
c.	Niyam Sangraha (Regulatory Volumes)	11
d.	Sambidhan (Constitution in Nepali and English)	2
e.	Purak Kunda (Current Amendments)	1
f.	Special Publications (Treaties, Financial Rules, Civil Service Rules, Panchayat laws, etc.)	7
g.	English Translations of Laws Concerning Foreigners	2
	Total	<u>35</u> Volumes

LBMC and the Ministry estimate that a total of NRs.2,012,500 (\$141,725) working capital would be necessary to publish all of the above volumes simultaneously, so that all volumes could be currently in stock throughout the country. This figure is derived as follows:

a.	Cost per page	NRs.	.0575
b.	200 pages per book		<u>x 200</u>
c.	Cost of per book	NRs.	11.50
d.	5000 copies		<u>x5000</u>
e.	Cost of 5000 copies	NRs.	57,000
f.	35 Volumes		<u>x 35</u>
	Total capital requirement	NRs.	2,012,500.00 (\$141,725)
	Less current working capital	NRs.	600,000 <u>(\$ 42,253)</u>
	Current capital requirement	NRs	1,412,500.00
		Equals \$	99,472. @ 14.2

The LBMC currently sells its books at affordable prices which generate sufficient revenue to support continued publication at the NRs.600,000 (\$42,253) level. Thus the LBMC revolving fund operates like a private business, and is financially viable. However, assuming that the LBMC could raise its prices to generate greater revenues, several years would be necessary to increase the working capital from NRs.600,000 to the current total requirement of NRs.2,012,500. What the LBMC needs is an infusion of capital sufficient to bring working capital up to the required level, in an amount of NRs.1,412,000 (US\$99,472 @ 14.2) or approximately \$100,000.

Prices for volumes published in the future would be set at levels more than enough to replenish working capital as adjusted for inflation, but not so high as to make them unaffordable to the general public. Thus a book costing NRs. 10 to publish could be sold at NRs. 15, generating NRs.75,000 for 5000 copies, or at NRs. 20, generating NRs.100,000 per 5000 copies. The LBMC, under the supervision of MLJ, would set prices and constantly review pricing policy, with the twin goals of affordability and regeneration of working capital.

AID/Nepal therefore proposes an AID contribution to the working capital of LBMC, through the Ministry of Law and Justice, of US\$100,000.

## 2. Grant and Purchase of an Offset Press System

The Ministry of Law and Justice, through the Law Books Management Committee, is responsible for publishing all of the laws and regulations of Nepal in sufficient quantities to supply volumes of the Constitution, statutes, and regulations to the public in all areas of the Kingdom. To accomplish this goal, the MLJ needs both an increase in working capital of the LBMC as described in section 1 above and the means to produce the required volume of books: an offset press system under MLJ control. The LBMC currently publishes its statutory and regulatory volumes through the HMG press (the sole Government press) and private printing firms. However, these printers cannot meet LBMC demand even at the current level of publication, for the following reasons:

- a. Because the HMG Press, the only large press currently owned and operated by the Government, must publish materials for all Government Ministries, offices and agencies as well as for the Palace, it is always overloaded with work. Thus MLJ cannot depend upon the HMG Press

to produce a required quantity of books on any time schedule. In fact, MLJ would like to assume responsibility for publication of the Rajpatra, the Government Gazette in which new statutory or regulatory changes are first announced, so that newly enacted laws could be printed and distributed on or close to the date of Royal Assent. MLJ could assume such responsibility by operation of its own press.

- b. Private presses in Nepal cannot produce the volume of books needed by the LBMC in a timely manner, nor meet MLJ requirements of quality and standardization. There are only a few large presses in Nepal capable of producing at the volume required by LBMC, and their services are in heavy demand. LBMC has experienced delays of up to one year in receiving books ordered from large private presses. Nor can the many small presses in Kathmandu collectively meet MLJ's needs. Each small press could produce one to two books per year for MLJ if it devoted most of its operating time to MLJ books. However, as with larger presses, the constant influx of orders from other Government and commercial sources causes MLJ orders to be significantly delayed. More importantly, each press has its own specifications, capacity, book and paper size, etc., so that the products of various presses vary widely in quality, size, arrangement and typeset. The MLJ requires printing of top quality, without errors or omissions, according to specified uniform formats, standards and sizes, and requires work to be done in a regular, timely fashion. Even if MLJ could place orders simultaneously with two dozen small printers, the variations in size, specifications and quality among the volumes printed would render the collection of laws and regulations second-rate.
- c. If the MLJ possessed its own offset press, with appropriate photocomposing and plate-making machines, it could retain plates from previously printed statutes and regulations, so that when a statute or regulation were amended, or existing stock were sold out, MLJ could quickly reprint extra copies of the original or amended material with the same plates. This would lower costs and save time.

The Ministry of Law and Justice has set aside land upon which to construct a building to house several presses and storage areas for printing materials and printed books. MLJ has assured AID/Nepal that His Majesty's Government (HMG) will construct a press/storage building for MLJ if the Ministry secures a press. MLJ's plan would be to

start with a medium-sized press and add large presses as revenues from publications and the experience of LBMC in operating presses increase. MLJ needs the following machines for its initial press system:

a.	Phototypesetting Machine	\$ 28,000
b.	Camera for Producing Negatives	\$ 15,000
c.	Plate-maker	\$ 15,000
d.	Offset Press	\$ 50,000
e.	Cutting Machine	\$ 26,000
f.	Folding Machine	\$ 15,000
g.	Gathering and Binding Machine	<u>\$ 18,000</u>
	Press System Total Estimated Cost:	\$167,000

AID/Nepal received two years ago from AID/Pakistan three pieces of printing machinery:

- a. One NUARC Camera, Model No. SST1418-25, Ser.No. 94E69-1, 220 Volt, 17 amp, 50 AC cycles, manufactured by the NUARC Company of Chicago;
- b. One NUARC Plate maker, Model No. FT18A-25, 220 Volt, 10 amp, 50 cycles, manufactured by the NUARC Company; and
- c. One Offset Press Model No. 360-CD, manufactured by the A.B. Dick Company, Chicago, Illinois.

The camera and plate-maker appear to be in good to excellent condition, and the press in fair condition.

AID/Nepal proposes to give these machines by a grant-in-aid to the MLJ, as the initial equipment for its press system. Budget line items must also be included for purchase of replacement and spare parts and for the services of a contractor to install, overhaul and bring to operating condition these machines, to train MLJ staff in their operation, and to maintain these machines for a year. Thus a minimum budget for AID assistance toward the establishment of an independent MLJ press would be as follows:

a.	Grant-in-aid of Nuarc Camera, Nuarc Plate-maker, and A.B. Dick Offset Press. Approximate Value:	\$ 30,000
b.	Local contracting services for installation, overhaul, initial operation, training of MLJ personnel, and maintenance for one year: NRs.180,000 .	\$ 13,000
c.	Cost of spare and replacement parts plus contingency for repairs after initial installation, including American technician, if necessary:	<u>\$ 30,000</u>
	Totals: Grant-in-aid, item (a):	\$ 30,000
	Project Cost, items (b) & (c):	\$ 43,000

The machinery listed above, which AID/Nepal proposes to grant-in-aid, would form the core of a medium-sized press system. MLJ could expand to a larger press system after its personnel have successfully operated and maintained the smaller press. Further, some of the cost of the larger press could be financed from income generated by LBMC sales, from loans, or from contributions of other donors.

In addition, to the grant-in-aid of equipment, this proposal would provide funds for the other machines necessary to a complete press system. The budget is as follows:

d.	Additional new offset press	\$ 31,000
e.	Photocomposing machine (capable of setting Devanagiri script)	\$ 16,000
f.	Cutting Machine	\$ 15,000
g.	Folding Machine	\$ 10,000
h.	Gathering and Binding Machine	\$ 10,000
i.	Freight, packing, handling and Insurance	<u>\$ 45,000</u>
	Total Additional Project Cost items (d) through (i):	\$127,000
	Total Project Cost, items (b) through (i):	\$170,000

### 3. Procurement of U.S. Legal Materials

One of the primary tasks of the Ministry of Law and Justice is to draft statutes for submission to the Rastriya Panchayat (National Legislature) for enactment. The MLJ also reviews, checks and revises the regulations proposed by other Ministries. In order to perform these important tasks, MLJ needs and has requested AID/Nepal to provide copies of legal materials relevant to statutory and regulatory drafting. Specifically, MLJ has requested a full set of the U.S. Code for comparative use in drafting statutes. Other American legal materials which could be helpful to MLJ would be copies of court and evidence rules, copies of regulations on a wide variety of topics (e.g., immigration, environmental protection, procurement, national parks, foreign and domestic trade), state laws (e.g., corporate, family or traffic laws), and treaties. AID/Nepal proposes a budget for the Ministry of Law and Justice for FY 1983 for procurement of U.S. legal materials, including the U.S. Code and other materials that MLJ deems most important, for comparative use in drafting statutes and regulations.

Budget:

\$ 6,000

### 4. Research on Water Rights Law

The Ministry of Panchayat and Local Development has asked for assistance in analyzing problems surrounding competing rights to water for drinking and irrigation, and in drafting new regulations and laws to solve these problems. Nepal enacted an "Irrigation Canals, Hydro-electric Power and Related Matters Act" in 2034 B.S. (1976 A.D.), but this law does not address many of the problems created by the competing demands for water in rural Nepali villages. Nepal thus has no comprehensive body of law regulating the use and distribution of water in the rural areas, which include 95 percent of Nepal.

The basic question here is upon what terms shall downstream or downhill villagers have a right to access to water from a source already utilized by upstream, uphill villagers? Do the upstream villagers have an exclusive claim if they tapped the source first? Do the downstream villagers have an unqualified right to equal access to water, as a basic human right? Do the downstream villagers have a right to water only so long as they do not disturb the flow of water to the upstream villagers? Who has authority to decide? The villagers? The Local Development Officer?

A second set of problems arises from attempts of the Local Development Department to install drinking water systems or irrigation systems, which involve cutting canals, or burying or hanging pipes under or over private persons' land. Can the Government exercise a right of eminent domain to take land or create easements? If so, must the Government pay compensation for land taken or crops destroyed? At what rate? Is the Government liable to pay compensation if leaky pipes wash out a villager's home or destroy his property? The Local Development Department of the Ministry of Panchayat and Local Development, and the Department of Drinking Water of the Ministry of Water Resources need regulations and laws which create mechanisms for answering these and related questions in order to carry out their development projects.

As the Ministry of responsible for drafting new statutes and regulations, the Ministry of Law and Justice is assigned this task. MLJ could undertake to do the research, analysis and drafting necessary to producing draft laws and regulations on water rights by:

- a. Thoroughly discussing this range of problems with officials of the Ministries of Panchayat and Local Development, and Water Resources;
- b. Visiting several sites in Nepal in order to understand the problems first-hand and learn how local communities have (or have not) solved these problems;
- c. Conducting small-scale anthropological research, through a local research organization or firm, in several Nepali villages of varied types to determine and record how drinking and irrigation water problems have been solved under customary law by various ethnic groups, for the purpose of identifying principles of customary law which should be preserved in a national statutory and regulatory scheme;
- d. Sending a senior official to Delhi and to Dacca\* to perform legal research and to gather legal materials (copies of statutes, regulations, cases, treatises, etc.) from Indian, Bangladeshi, U.K., U.S. or other sources on

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Research on water rights in India and Bangladesh would contribute to the national-level efforts of India, Nepal and Bangladesh to cooperate in the common usage of the Himalayan/Gangetic water system. The formulation of national laws and regulations concerning drinking and irrigation water rights at the village level may have effects on the course of international negotiations concerning regional cooperation on water use. On these questions the Ministry of Law and Justice could share research findings on water rights with the Ministry of Foreign Affairs.

water rights, in order to learn how problems of conflicting water rights have been resolved in neighboring countries and in countries with similar legal systems;

- e. Reviewing with the Chief of the Research Section of the Supreme Court the results of the Court's research on cases involving water rights. The Research Section of the Supreme Court might also help the Ministry to design the research on customary law described in (e) above.

The small-scale applied anthropological research described in (c) above might best be performed by the Centre for Nepal and Asian Studies (CENAS), part of Tribhuvan University, or by APROSC, the semi-governmental Agriculture Project Services Centre. After performing this comparative legal research and completing field work, the MLJ would present a series of recommendations and a draft set of regulations to the two concerned Ministries for consideration and promulgation. MLJ would also report what statutory changes are necessary, if any, to give full effort to the regulatory scheme proposed.

AID could contribute to MLJ research on problems of water rights by financing the study of customary law, and travel, per diem and reproduction expenses in Nepal, India and Bangladesh for Nepali officers working on this project.

Budget:

AID

- a. Per diem for travel within Nepal for one official each from the Ministries of Law and Justice, Panchayat and Local Development and Water Resources, 45 days each, at AID/Nepal standard rates
  - i. Pokhara 15 days x 3 x \$ 38 = \$ 1,710
  - ii. Other locations within Nepal 30 days x 3 x \$ 20 = \$ 1,800
- Sub-Total: \$ 3,510
- b. Airfare within Nepal for Ministry officials, or petrol for ground transportation (estimate) NRs.14,200 \$ 1,000

c.	Reproduction or purchase of legal materials in Delhi and Dacca	\$ 750
d.	Stipend, travel expenses, and health insurance in Delhi for 9 weeks, funded under AID Participant Trainee Program (estimated) Rs.4,500 IC=\$464 @ 9.7:1	
e.	Per diem in Dacca for 21 days at AID rate (\$ 27)	\$ 1,512
f.	Airfare Delhi to Dacca (estimated)	<u>\$ 200</u>
	Sub-Total items (a) through (f):	\$ 6,972
	or approximately:	\$ 7,000
g.	Services of a Nepali organization or consulting firm specializing in anthropological field research, including survey design, data collection and analysis; six field researchers and two supervisors for six months. Salaries, travel, per diem, office supplies, typing and duplication all inclusive:	\$30,000
	AID Total Project Cost:	\$37,000

HMG/N

a.	Airfare KTM/Delhi (on RNAC)	\$ 132
b.	Airfare Dacca to KTM (on RNAC)	<u>\$ 85</u>
	HMG/N Sub-Total:	\$ 215

5. Observation Tour of the U.S. Legislative and Rule-making Processes

In order to assist the Secretary of the Ministry of Law and Justice and his staff to draft statutes and regulations a four to six week observation tour of the U.S. Legislative and Executive Branches is proposed. The Secretary and another MLJ official responsible for legislative and regulatory drafting could visit Congress, attending sessions of the House and Senate, Congressional hearings on topics of interest to them, Joint Committee meetings reconciling differing versions of bills passed by the House and Senate, and could witness the signing of legislation at the White House. The Secretary and assistant

could also discuss the drafting of particular bills with Congressmen, Senators and their aides who are currently drafting new legislation. In order to observe the rule-making process, MLJ officials could visit Federal agencies, such as the Department of Labor or the Department of Health and Human Services, to observe the formulation and drafting of new or revised regulations by an agency. MLJ officials could also attend some public rule-making hearings and become familiar with the requirement of public comment on proposed regulations of the Administrative Procedure Act. Printing operations of the Government Printing Office should also be observed. Efforts to deregulate certain sectors of the American economy, and to repeal onerous or overly complicated regulations, could also be explained to MLJ officials, perhaps through a visit with members of the President's task force on deregulation. Because many aspects of law in the U.S. are governed by State law, such as family, matrimonial, inheritance, property and criminal law (subjects covered by the Muluki Ain in Nepal), observation of State legislatures in two States, one large and one small, should also be planned in order to learn about the State-level legislative process. Visits to States with significant Asian populations and cultural influence, such as Hawaii and California, might be the most useful to MLJ officials.

Budget

a.	Roundtrip airfare Kathmandu/ Washington, D.C. - Kathmandu, including stopover in Europe route: \$ 2,500 x 2	= \$ 5,000
b.	Per diem at U.S. Govt. rates	
i.	London 2 days x 2 @ \$ 110	= \$ 440
ii.	Washington, D.C. 30 days x 2 @ \$ 75	= \$ 4,500
	Sub-Total:	\$ 9,940
c.	Incidental expenses (purchase of legal materials, services provided by other Federal agencies):	\$ 2,060
	Total:	\$12,000

The Ministry of Law and Justice (MLJ) requests the funds for purchase of offset press system in order to print copies of Nepali statutes, regulations and constitution. This activity is described on pages 20 - 25 of the proposal submitted for the 367 0150 project. The detailed description of offset press system and the highlights of offset press project are attached herewith.

In addition to the complete set of the offset press system MLJ also would like to request the funds for spare parts and replacement plus contingency for initial installation and contracting services for installation, overhaul, initial operation and maintenance.

In assumption that the complete set of offset press system will be made available by the USAID, the MLJ has made provisions to provide from its own resources the following items:-

(a) To construct a building to install and operate composing, plate making, printing, cutting, binding and stores for raw materials as well as finished products.

(1) The cost of building construction as estimated by the IMG Department of Housing, Building & Physical Planning is Rs. 9,60,000/- (\$ 60,000.00 @ Rs.16/-)

to be met through a loan obtainable from Employee's Provident Fund @ the rate of 17.5% interest per annum repayable within 5 years.

(ii) HMG has provided the Land estimated to cost at the present market value Rs.3,20,000/- (\$ 20,000.00).

(b) To provide necessary manpower sufficiently trained at the similar press system to handle the press and composing systems.

Suggested List of Machinery & Equipments

**A. PRESS SECTION**

1. Two Colour Offset Press size 20½ "x28-3/8" one \$ 40,000.00  
 or  
 CHIEF 25:19"x25½"

2. Scraper knife two \$ 10.00

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\$ 40,010.00

**B. PROCESS CAMERA SECTION**

1. Process camera (Nuarc Camera-20"x24")	one \$ 6,000.00
2. Temperature controlled Sink	one \$ 4,000.00
3. Dial Thermometer	one \$ 50.00
4. Darkroom lamp	two \$ 80.00
5. Utility saftlight lamp	two \$ 40.00
6. Darkroom timer	two \$ 100.00
7. Duraflex tray 16" x 20"	three \$ 300.00
8. ,, tray 20" x 24"	,, \$ 400.00
9. Darkroom graduates (32 ounces capacity)	two \$ 40.00
10. Perfection magnifier (20) power	two \$ 50.00
11. Stainless steel buckot (5 & L)	two \$ 300.00
12. ,, ,, Funnel	one \$ 30.00
13. Ohaus precision balance	one \$ 50.00
14. Contact screen 16" x 20" 110 lines	one \$ 280.00
15. ,, screen 16" x 20" 120 ,,	one \$ 300.00

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\$ 12,020.00

**C. STRIPPING SECTION**

1. Line-up table 35" x 42"	one	\$ 1,000.00
2. Re.touching light table	one	\$ 500.00
3. Stainless steel master T.squre	one	\$ 60.00
4. Gaebel ruler 36"	one	\$ 35.00
5. Tape dispenser	two	\$ 30.00
6. Exacto knife andblades	two	\$ 20.00
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		\$ 1,645.00

**D. PLATE MAKING SECTION**

1. Vertical plate coating machine	one	\$ 3,000.00
2. Plate-maker (Nu-are 22" x32")	One	\$ 7,000.00
3. Developing sink	one	\$ 750.00
4. Plate finishing table 33 1/2"	one	\$ 1,000 .00
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		\$ 11,750.00

**E. BINDARY SECTION**

1. Cutter 42"	one	\$ 6,000.00
2. Stitching machine	two	\$ 1,800.00
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		\$ 7,800.00

**F. PHOTO \* COMPOSITION SECTION**

1. <u>PHOTO-COMPOSITION</u>	two	\$ 30,000.00
or		
(a) Electronic typewriter (Xerox or Olympia or Olleveti)		
(b) Electronic * pewriter (Devanagri)		
(c) Letter +      lo case)		

2. RE-TOUCHING LIGHT TABLE	three	\$ 1,500.00
3. GAEBEL RULOR 36"	three	\$ 105.00
4. TAPE DISPENSER	three	\$ 90.00
5. STAINLESS STEEL TRIANGLE	three	\$ 80.00
		<hr/>
		\$ 31,775.00
<u>G. FREIGHT &amp; CARRIAGE</u>		\$ 15,000.00
	Total, items A through G	<hr/> <hr/> \$1,20,000.00
<u>H. CONTRACTING SERVICES FOR INTTALLATION</u>		
<u>OVERHOUL, INITIAL OPERATION AND MAINTENANCE</u>		\$ 10,000.00
<u>I. COST OF SPARE AND REPLACEMENT PLUS CONTINGENCY</u>		
<u>FOR REPAIRS AFTER INITIAL INSTALLATION</u>		\$ 20,000.00
	Total Cost, items A through I	<hr/> <hr/> \$1,50,000.00

HIGHLIGHT  
OF  
OFFSET PRESS PROJECT

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His Majesty's Government  
Ministry of Law and Justice  
Law Books Management Committee

1. THE PROJECT

: OFFSET PRESS

Cap.15.0 million impressions  
per annum (on single shift basis)

2. LOCATION

:: Kathmandu

	Rs.	\$
3. <u>TOTAL PROJECT COST</u>	57,60,000.00	3,60,000.00 @ Rs.16.00

A . FIXED ASSETS

	Rs.	\$
(I) <u>LAND AND LAND DEVELOPMENT</u> --	3,20,000.00	20,000.00
(II) <u>BUILDING AND CIVIL WORKS</u> --	9,60,000.00	60,000.00
(III) <u>MACHINERY AND EQUIPMENT</u> --	24,00,000.00	1,50,000.00

(Including Cost of spare and replacement plus contingency for after initial installation and contracting services for installation, overhaul, initial operation and training of personnel)

(iv) <u>OFFICE EQUIPMENTS &amp; FURNITURES</u>	80,000.00	5,000.00
Sub.total:	37,60,000.00	2,35,000.00

B. WORKING CAPITAL--

20,00,000.00 1,25,000.00

Total project Cost 57,60,000.00 3,60,000.00

4. SOURCES OF FINANCE

	Rs.	\$
(i) Grant (from HMG)	-- 3,20,000.00	20,000.00
(ii) Loan	--10,00,000.00	62,500.00
(iii) Aid (from USAID)	--24,00,000.00	1,50,000.00
(iv) Law Books Management Committee's Equity	-- 20,40,000.00	1,27,500.00
Total	57,60,000.00	3,60,000.00

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<b>5. <u>RAW MATERIAL</u></b>		Rs	\$
(1) Printing papers of different- qualities size 20x30" 30,000 reams	72,00,000.00		4,50,000.00
(ii) Process Camera films size 20x24" -- 3500pcs			
(iii) Anodise aluminium Plate size 20x30" -- 400pcs or P.S.Plate Davidson- 150 pect\$			
(iv) Printing ink of different colour -- 2500kg.			
(v) Varnishing and waxing material			
(vi) Chemicals			
(vii) Binding materials			
(viii) Packing materials			

**6. UTILITIES**

Electricity -- 45 kw

**7. MAN POWER**

(i) Indirect labours -- 9nos.  
(ii) Direct labours -- 32nos.

**8. ESTIMATED ANNUAL PROFIT**

**A. Annual production expenses:**

(a) Depreciation:

	Rs.	\$
	2,56,000/	16,000.00
(1) Building @ 5%	Rs. 48,000/	\$ 3,000.00

(2) Machinery & Equipments		
@ 10%	1,92,000/	12,000.00
(3) Furniture @ 20%	16,000/-	1,000.00
(b) Insurance (of Building & Machinery @ 1%		32,000/- 2,000.00
(c) Interest on Loan @ 17.5%		1,75,000/- 10,937.50
(d) Indirect Labour 9nos.		52,200/- 3,262.50
(e) Office & other expenses		40,000/- 2,500.00
(f) Audit fee		6,000/- 375.00
	Total Invariable expenses:	<u>5,61,200/- 35,075.00</u>
(g) Raw Materials		72,00,000/- 4,50,000.00
1. Printing paper 20x30" size 30,000 reams @ Rs.200/- Per ream- 60,00,000/-		
2. Film, Plate, ink, chemicals, binding, packing materials etc- 12,00,000/-		

(h) Direct Labour 32nos.		2,14,800/	13,425.00
(i) <u>Other expenses</u>		54,000/-	3,375.00
1. Grease, oil & Kerosin			
etc.	- 10,000/-		
2. Electricity & water	- 40,000/-		
3. Miscellaneous	- 4,000/-		
	Total variable expenses:	74,68,800/-	4,66,800
	Total annual expenses :	80,30,000/-	5,01,875
<u>B. Annual income::</u>		82,50,000/-	5,15,625
(a) 1,50,00,000 impressions			
@ 0.15 Paisa per			
impression	- 22,50,000./-		
(b) Cost of 30,000 reams			
paper @ Rs. 200/-			
per ream	- 60,00,000/-		
C. Profit (item B - A)		2,20,000/-	13,750.00
D. Return on Equity	-	10.78%	
E. Return on Investment	-	3.82%	

PROPOSAL  
FOR EXTENSION OF THE  
NEPAL WOMEN'S ORGANIZATION  
LEGAL SERVICES PROJECT  
YEARS 3, 4, 5

SUBMITTED BY THE  
NEPAL WOMEN'S ORGANIZATION  
LEGAL SERVICES PROJECT

JULY 1984

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APPENDICES

1. ORIGINAL PROJECT PROPOSAL, 1981
2. ANNUAL REPORT 1982 - 83
3. ANNUAL REPORT 1983 - 84

I. **FACESHEET**

A. Title of the project: Women's Legal Services Project

B. Agency submitting the proposal:

Nepal Women's Organization  
Multipurpose Centre  
Pulchowk, Kathmandu  
Nepal

Tel: 521904

C. Implementing Agency:

Women's Legal Services Project (under aegis of  
Nepal Women's Organization)  
Multipurpose Centre  
Pulchowk, Kathmandu  
Nepal  
P.B. No. 3241  
Tel. 521904  
Cable LEGAL AID, Kathmandu

D. Budget Requests:

Third Year	-\$76,000-	RS. 11,89,000.00
Fourth Year	-\$90,000	14,40,000.00
Fifth Year	-\$100,000-	16,00,000.00
Total	-\$226,000	<u>RS. 42,29,000.00</u>

E. Type of Project: Network of legal aid offices staffed by Nepalese attorneys providing free legal services to needy Nepalese women; legal literacy education to create awareness of women's rights and to train paralegal cadres.

F. Purpose of the Project: To increase consciousness of their legal rights among Nepalese women; to assist them in asserting their legal rights and seeking legal redress of wrongs.

## II. SUMMARY STATEMENT

*Women's*

The Nepal Women's Organization's Legal Services Project as described in the January 1981 project proposal (Appendix 1) has been approved by His Majesty's Government of Nepal for a five year period. It has functioned for two years with the assistance of the Ford Foundation (grant 820-0496 of \$100,000). This grant period ends in July 1984.

Following discussions with project development officers of Ford Foundation Delhi and USAID Nepal, the Project is seeking to continue its work with the joint funding of these two agencies. This proposal for funding of the third through fifth years is being submitted to both organizations.

The first two years' services rendered by the project have established its worth and met the targets of the original work plan. During the first year a central office was established in Kathmandu with the Executive Director (Senior Advocate) and a professional staff of two attorneys, a paralegal worker and a social worker. Legal aid was provided to 418 indigent women (cases in court: 204; mediated and filled: 214). Legal literacy outreach training programs were held at six locations throughout the Kathmandu Valley reaching 785 women (See Appendix 2, Annual Report 1982-83.)

During the project's second year the first of four branch offices was opened (Pokhara), staffed initially by one attorney, one pleader, one social worker and an accountant. Work expanded in Kathmandu. Intensive training of seven days was given to 105 women who now serve as village representatives of the Project and counselors in their twenty-four villages. (See Appendix 3, Annual Report 1983-84.)

In the third through fifth years the Project hopes to open branches in each of the remaining three regions (eastern, middle western and far western) at the location of the regional court. Eventually, with monitoring and administration through the regional branch offices, the Project would have the mechanism to expand into all 75 districts of Nepal.

This proposal includes a detailed work plan for the third year and general work plans for the fourth and fifth years. Objectives, organizational structure and mode of functioning will basically be retained in the same forms as in the original proposal already approved by His Majesty's Government. The proposed budgets totaling \$226,000 (years 3, 4 & 5) also followed the original proposal.

*RS. 42,29,000*

In meetings with project development officers of Ford Foundation and USAID it was agreed that Ford remain the primary donor for the project. Given USAID's particular mandate to lend support to activities designed explicitly to educate people to know and understand their rights and to avail themselves of the protections offered under legal systems, we suggest the following division of joint funding:

USAID	Item 2 : Legal Literacy Education
45.57%	Item 4 : Administrative Staff Salaries and Staff Development
	Item 5 : Supplies
	Item 8 : Evaluation, Reporting and Auditing
FORD	Item 1 : Legal Services to Women
54.47%	Item 3 : Study of Women in Prisons
	Item 6 : Travel Allowances, Project Allowance & Honoraria
	Item 7 : Library Acquisitions

This division of funding could be made with the understanding that some changes between USAID and Ford items might be called for during implementation.

### III. SUMMARY BUDGET

#### NOTE:

In some development projects for women (e.g. small business, handicraft and skill development) financial support can eventually be assumed by village women themselves. In the case of the Legal Services Project this is partially true. Village education, counselling, mediation and referral of needy cases can be handled by the rural women cadres being trained by the project. For work in the courts, however, it is less true. Support of professional staff for legal consultation and solicitation in litigation is, therefore, an unavoidable major portion of the budget.

In relation to these professional staff salaries it should be noted that during the preparation of this proposal His Majesty's Government declared salary increases of between 55 and 60% for all government workers. This project is non-governmental and has not raised its salaries. It has, however, included an ample project allowance (see Summary Budget item 6) to be used judiciously as needed to retain our competent staff.

It is important to note that the Project's support has not been entirely from outside donors (see Summary Budget item 9). The Nepal Women's Organization donates valuable office space for the central office and will do so for the branch offices to be opened in the regions. Judges and attorneys of the Kathmandu and Pokhara regions have volunteered their help in various ways. They have read examinations and conducted interviews in the hiring of project staff; they have provided rooms in the court buildings for use of the Project's investigation teams; they have advised regularly on special court cases free of charge.

It is hoped that as the project expands nation-wide, support will increase from individual lawyers and judges, the judicial branch of His Majesty's Government, and other social service committees. The Project will also consider asking clients for a voluntary financial donation of some portion of awards granted them by the courts.

## SUMMARY BUDGET

Headings	In Nep. Rs.			
	Third Year	Fourth Year	Fifth Year	Total
1. Legal Services to Women (litigation fees, attorneys' salaries)	2,96,520.00	3,76,960.00	4,32,400.00	11,05,880.00
Kathmandu	1,85,640.00	2,00,640.00	2,00,640.00	
Pokhara	55,440.00	60,440.00	60,440.00	
Dhankuta	55,440.00	60,440.00	60,440.00	
Surkhet	-	55,440.00	55,440.00	
Dipayal	-	-	55,440.00	
2. Legal Literacy Campaign (out-reach education classes, social worker's salaries)	2,09,820.00	2,36,680.00	2,63,540.00	7,10,040.00
Kathmandu	1,56,100.00	1,56,100.00	1,56,100.00	
Pokhara	26,860.00	26,860.00	26,860.00	
Dhankuta	26,860.00	26,860.00	26,860.00	
Surkhet	-	26,860.00	26,860.00	
Dipayal	-	-	26,860.00	
3. Study of Women in Prison	20,000.00	34,000.00	34,000.00	88,000.00
4. Administrative Staff and Development and Salaries	2,12,219.00	2,29,614.00	2,47,009.00	6,88,842.00
Kathmandu	1,77,429.00	1,77,429.00	1,77,429.00	
Pokhara	17,395.00	17,395.00	17,395.00	
Dhankuta	17,395.00	17,395.00	17,395.00	
Surkhet	-	17,395.00	17,395.00	
Dipayal	-	-	17,395.00	
5. Office Supplies	1,09,795.50	1,45,823.00	1,69,323.00	4,24,941.50
Kathmandu	60,795.50	65,476.50	65,476.50	
Pokhara	23,500.00	31,346.50	23,500.00	
Dhankuta	25,500.00	23,500.00	31,346.50	
Surkhet	-	25,500.00	23,500.00	
Dipayal	-	-	25,500.00	
6. Travel Allowance, Project Allowances and Honoraries	3,01,645.50	3,64,423.00	3,97,200.50	10,63,269.00
Kathmandu	2,36,090.50	2,66,090.50	2,66,090.50	
Pokhara	32,777.50	32,777.50	32,777.50	
Dhankuta	32,777.50	32,777.50	32,777.50	
Surkhet	-	32,777.50	32,777.50	
Dipayal	-	-	32,777.50	
7. Library Acquisition	14,000.00	17,500.00	15,000.00	46,500.00
Kathmandu	9,000.00	10,000.00	5,000.00	
Pokhara	2,500.00	2,500.00	2,500.00	
Dhankuta	2,500.00	2,500.00	2,500.00	
Surkhet	-	2,500.00	2,500.00	
Dipayal	-	-	2,500.00	
8. Evaluation, Reporting and Auditing	25,000.00	35,000.00	41,527.50	1,01,527.50
9. Inkind Nepal Contribution	(90,000.00)	(1,08,000.00)	(1,08,000.00)	(3,06,000.00)
Total in Nepalese Rupees	11,89,000.00	14,40,000.00	16,00,000.00	42,29,000.00
Total in Dollars US\$	\$76,000.00	\$90,000.00	\$100,000.00	\$226,000.00

#### IV. WORKPLAN - YEARS THREE, FOUR, AND FIVE

##### NOTE:

As listed in the original proposal (see Appendix 1), the major new task of the third, fourth and fifth years will be to open regional centres in the eastern, middle-western and far western regions (Dhankuta, Surkhet and Dipayal).

In the outreach education (Legal Literacy) program the major task will be to complete the training of a cadre of village women so that by the end of the fifth year they can function as paralegals, registering property, cases in the courts, and doing other official work. This training was begun in the first year, when candidates were chosen, and will continue in the third, fourth and fifth years.

A new undertaking of the next three years will be a study of women prisoners jailed in Nepal. This study is prompted by the concern for large numbers of women jailed without recourse to legal aid. During the first two years the project staff will investigate cases of supposed abortion, infanticide and murder as well as the sale of young Nepali girls in foreign countries. In the last year the staff will draw up recommendations for changes in legislation needed to protect women. These will be presented to His Majesty's Government.

The following is a more detailed breakdown of continuing and new yearly tasks.

##### I. Third Year

##### A. Central Office: Kathmandu

1. Continue primary task of providing legal services: counselling, negotiation and litigation; take cases referred by the branch offices to the higher court; appoint two additional social workers who will supervise the work of the village cadres being trained as paralegals. (see below)
2. Continue and expand outreach education in legal literacy, hiring experts as necessary to assist in the following training:
  - a. Village cadres of 60 women whose training as counselors & paralegals began in the second year will have 10 days more training in Kathmandu at Central Headquarters and in the courts. (Two training programs of five days each separated by field work.)

- b. Basic legal literacy education for groups of 100 women will be given in two-days workshops like those offered in the second year at Kabhre-palanchowk (Banepa) District, a selected Terai location and in a slum area of Kathmandu.
  3. Begin research on conditions of women in prisons of Nepal. In the first year this will focus on cases of women convicted of abortion or infanticide.
  4. Oversee the establishment and work of the regional branch offices.
  5. Conduct a survey visit to Surkhet in preparation for opening of regional office there in the fourth year.
- B. Branch Office, Pokhara (established early in 1984)
  1. Continue primary task of providing legal services; refer cases to higher court in Kathmandu.
  2. Begin outreach education in legal literacy: basic education for a group of 100 women in a two-day workshop.
- C. Branch Office, Dhankuta (new)
  1. Hire staff as described in original proposal (Appendix 1).
  2. Open office in N.W.O. District Headquarters in rooms donated to the project.
  3. Equip office with furniture and supplies.
  4. Implement an administrative and fiscal record and reporting system.
  5. Open a branch library (law books & periodicals for professional staff).
  6. Begin to provide legal services to local women: counselling, negotiation and litigation in regional court; refer cases to higher court in Kathmandu.
  7. Begin outreach education in legal literacy: basic education for 100 women in a two-day workshop.

8. Prepare quarterly and annual reports for central office.

## II. Fourth Year

### A. Central Office: Kathmandu

1. Continue primary task of providing legal services, as above.
2. Continue outreach education in legal training for the village cadres of future paralegals.
3. Continue research on conditions of women in prisons. In its second year this will focus on women convicted of murder and on the sale of young girls outside of Nepal.
4. Oversee the establishment and work of the regional branch offices.
5. Conduct a survey visit to Dipayal in preparation for opening of regional office there in the fifth year.
6. Submit annual report and, possibly, conduct an annual staff conference.

### B. Established Branch Office: Pokhara, Dhankuta

1. Continue primary task of providing legal services, as above.
2. Continue outreach education in legal literacy; approx. 50 women- 2 days.
3. Prepare quarterly and annual reports for central office.

### C. Branch Office, Surkhet (new)

1. Establish office in rooms donated by N.W.O. District Headquarters, as above (see Dhankuta).
2. Begin legal services to local women, as in Dhankuta.
3. Begin outreach education in legal literacy: basic education for 100 women from 4 villages in a two-day workshop.
4. Prepare quarterly and annual reports.

III. Fifth Year

A. Central Office: Kathmandu

1. Continue providing legal services, overseeing work of branch offices, monitoring and reporting.
2. Seek outside evaluation of the Project.
3. Investigate the feasibility of expanding into some or all 75 districts.
4. Seek increased Nepali support of the project.
5. Seek additional donor support, as needed.

B. Established Branch Office: Pokhara, Dhankuta, Surkhet

1. Continue legal services for women as in fourth year.
2. Continue reporting and administrative tasks.

C. Branch Office, Dipayal (new)

1. Establish office as similar to the others in basic administrative and professional design as possible in this least developed region of Nepal.
2. Begin legal services to local women.
3. Begin outreach education in legal literacy: basic education for 50 to 100 women in a two-day workshop.

PLEASE NOTE THAT MORE DETAILED WORKPLANS & BUDGETS OF THE FOURTH AND FIFTH YEARS WILL BE PROVIDED AT THE END OF THE THIRD YEAR.

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V. BUDGETS, YEARS 3, 4, 5

6Y

BUDGET - SHEET

(2041-042) Third Year  
1984-85

Headings	Kathmandu	Pokhara	Dhankuta	Total
1. Legal Services to Women (Litigation fees attorneys' salaries)	1,85,640.00 ✓	55,440.00 ✓	55,440.00 ✓	2,96,520.00 ✓
2. Legal Literacy Campaign (Out- reach education classes social worker's salaries)	1,56,100.00 ✓	26,860.00 ✓	26,860.00 ✓	2,09,820.00 ✓
3. Study of Women in Prison	20,000.00 ✓	- ✓	- ✓	20,000.00 ✓
4. Administrative Staff Development and Salaries	1,77,429.00 ✓	17,395.00 ✓	17,395.00 ✓	2,12,219.00 ✓
5. Office Supplies	60,795.50 ✓	23,500.00 ✓	25,500.00 ✓	1,09,795.50 ✓
6. Travel Allowances, Project Allowances and Honoraries	2,36,090.50 ✓	32,777.50 ✓	32,777.50 ✓	3,01,645.50 ✓
7. Library Acquisitions	9,000.00 ✓	2,500.00 ✓	2,500.00 ✓	14,000.00 ✓
8. Evaluation, Reporting and Auditing	25,000.00 ✓	- ✓	- ✓	25,000.00 ✓
9. Inkind Nepali Contribution	(54,000.00)	(18,000.00)	(18,000.00)	(90,000.00) ✓
Total				11,89,000.00 ✓

(1)

Third Year  
Budget in Detail  
 (2041-042)

I. Legal Services to Women:

A. KATHMANDU

1. Litigation Fees:

Courtfees, Registration fees, Fees for copying records and petitions, local transportation allowances for needy clients from home to project offices or courts: expenses for expert witnesses - - - - - 55,000.00

2. Attorneys' Salaries:

	<u>Monthly</u>	<u>Yearly</u>
Attorney A	3,000.00	36,000.00
Attorney B	2,200.00	26,400.00
Paralegal Expert	1,500.00	18,000.00
Pleader	1,500.00	18,000.00
Agent	1,000.00	12,000.00
		1,10,400.00
1 month's Dasain Bonus		9,200.00
10% Provident Fund		11,040.00
		1,30,640.00
		1,30,640.00
Total		1,85,640.00

B. POKHARA

1. Litigation Fees:

Courtfees, Registration fees, Fees for copying records and petitions, local transportation allowances for needy clients from home to Project offices or courts: expenses for expert witnesses - - - - - 10,000.00

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10.	LLC training in Terai belt as Pilot Program, 2 days training for 100 women Rs.20.00 per day daily allowances Rs.10.00 per day travel allowances 2x100x(20+10) - - - - -		6,000.00
11.	Inauguration expenses, travel allowances and other expenses for Terai's LLC program - - -		10,000.00
12.	LLC Program for women of backward and oppressed families dwelling in slums of Kathmandu city - - - - -		11,160.00
13.	Salaries, Dasain bonus and Provident fund for 4 social workers		
		<u>Monthly</u>	<u>Yearly</u>
	Social workers-4-800x4 =	3,200.00	38,400.00
	1 month's Dasain Bonus -		3,200.00
	10% Provident Fund		3,840.00
			<u>45,440.00</u>
			45,440.00
		<u>Total</u>	<u>1,56,100.00</u>

## B. POKHARA

1. LLC Training:

	2 days training for 100 women Rs.20.00 per day daily allowances Rs 10.00 per day travel allowances 2x100x (20 + 10) - - - - -		6,000.00
2.	Management expenses - - - - -		2,500.00

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- 3. Short-term visiting experts to run classes in workshop training - - - - - 1,000.00
- 4. Travel expenses of NWO Representatives and local staff to LLC program and inauguration expenses - - - - - 6,000.00

5. Salaries, Dasain bonus and Provident fund for one social worker.

	<u>Monthly</u>	<u>Yearly</u>	
Social worker - 1	800.00	9,600.00	
1 month's Dasain Bonus		800.00	
10% Provident Fund		960.00	
		<hr/>	
		11,360.00	
			11,360.00
			<hr/>
	Total		26,860.00
			<hr/>

C. DHANKUTA

1. LLC Training:

2 days training for 100 women

Rs.20.00 per day daily allowances

Rs.10.00 per day travel allowances

2 x 100 x (20 + 10) - - - - - 6,000.00

2. Management expenses - - - - - 2,500.00

3. Short-term visiting experts to run classes in workshop training - - - - - 1,000.00

4. Travel expenses to NWO representatives and local staff for LLC program and inauguration expenses - - - - - 6,000.00

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5. Salaries, Dasain bonus, and Provident fund for one social worker

	<u>Monthly</u>	<u>Yearly</u>
Social worker - 1	800.00	9,600.00
1 month's Dasain Bonus		800.00
10% Provident Fund		960.00
		<u>11,360.00</u>
		11,360.00
	<u>Total</u>	<u>26,860.00</u>

III. Study of Women in Prison:

A. KATHMANDU	- - - - -	20,000.00
B. POKHARA	- - - - -	-
C. DHANKUTA	- - - - -	-
	<u>Total</u>	<u>20,000.00</u>

IV. Administrative Staff Salaries and Staff Development:

A. KATHMANDU

	<u>Monthly</u>	<u>Yearly</u>
Executive Director - 1	4,500.00	54,000.00
Administrative Officer-1	2,700.00	32,400.00
Chief Accountant - 1	2,000.00	24,000.00
Typist/Clerk - 2	1000x2=2000.	24,000.00
Store-Keeper - 1	800.00	9,600.00
Peon - 1	495.00	5,940.00
		<u>1,49,940.00</u>
1 month's Dasain Bonus		12,495.00
10% Provident Fund		14,994.00
		<u>1,77,429.00</u>
	<u>Total</u>	<u>1,77,429.00</u>

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## B. POKHARA

	<u>Monthly</u>	<u>Yearly</u>
Accountant/Clerk/Typist	800.00	9,600.00
Peon	425.00	5,100.00
		<u>14,700.00</u>
1 month's Dasain Bonus		1,225.00
10% Provident Fund		1,470.00
		<u>17,395.00</u>
	Total	<u>17,395.00</u>

## C. DHANKUTA

	<u>Monthly</u>	<u>Yearly</u>
Accountant/Clerk/Typist	800.00	9,600.00
Peon	425.00	5,100.00
		<u>14,700.00</u>
1 month's Dasain Bonus		1,225.00
10% Provident Fund		1,470.00
		<u>17,395.00</u>
	Total	<u>17,395.00</u>

V. Office Supplies:

A. KATHMANDU

1. Offices Secretarial supplies	----	30,000.00
2. Electricity consumption and fitting	- - - - -	6,000.00
3. Telephone	- - - - -	4,000.00
4. Fuel, Hospitalities, tea supplies etc. expenses	- - - - -	8,795.50
5. Durable materials and office's other materials maintenance	- - - - -	12,000.00
		<hr/>
		60,795.50

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Total 60,795.50

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B. POKHARA

1. Offices Secretarial supplies	- - - -	6,000.00
2. Electricity consumption and fitting	- - - - -	1,000.00
3. Fuel, Hospitalities, tea supplies etc. expenses	- - - - -	2,500.00
4. Durable materials and offices other materials maintenance	- - - - -	14,000.00
		<hr/>
		23,500.00

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Total 23,500.00

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C. DHANKUTA

- 1. Office Secretarial supplies - - - - - 4,000.00
- 2. Electricity consumption and fitting - - - - - 1,000.00
- 3. Fuel, Hospitalities, tea supplies and other expenses - - - - - 2,500.00
- 4. Durable materials, office's furnitures and other fixtures - - - 18,000.00

25,500.00

Total 25,500.00

VI. Travel Allowances, Project Allowances and Honoraria:

A. KATHMANDU

1. Travel Allowances:

- a. Transportation expenses for Executive Director, Attorneys and other staff members of Project business and Executive Director Home-to-work transportation and other travel expenses - - - - - 40,000.00
- b. Pokhara Branch office visit and supervision travel expenses for NWO Representatives, Executive Director, Donor Agencies Representative and office staff - - 13,000.00
- c. Travel costs for personnels, experts and office staff from Kathmandu to Dhankuta and back -- 35,000

d. Travel costs for exploration & preparation for branch offices in Surkhet branch office - - - - - 10,000.00

2. Project Allowances:

Project allowances for the central office all staffs as a rate of 30% of the basic salaries - - - - - 97,090.50

3. Honoraria:

	<u>Montly</u>	<u>Yearly</u>
a. Chair woman of NWO central committee	1,000.00	12,000.00
b. Donor Representative	2,000.00	24,000.00
		<u>36,000.00</u>

4. Board Meeting allowances &

Refreshment : - - - - - 5,000.00

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Total 2,36,090.50

B. POKHARA

1. Travel Allowances:

Transportation Expenses for office business - - - - - 5,000.00

2. Project Allowances:

Project allowances for the staff of the Pokhara Branch office at the rate of 30% of the basic salaries -20,377.50

3. Honoraria

	<u>Montly</u>	<u>Yearly</u>
Chairwoman	500.00	<u>6,000.00</u>
		<u>6,000.00</u>

4. Board Meeting Allowances &

Refreshment - - - - - 1,400.00

Total 32,777.50

C. DHANKUTA

1. Travel Allowances:

Transportation expenses to staff members for project business - - - - 5,000.00

2. Project Allowances:

Project allowances for the staffs of the Dhankuta Branch office at the rate 30% of the basic salaries-- 20,377.50

3. Honoraria

	<u>Monthly</u>	<u>Yearly</u>	
Chairwoman - -	500.00	6,000.00	
		<u>6,000.00</u>	6,000.00

4. Board Meeting Allowances &

Refreshment - - - - - 1,400.00

Total 32,777.50

II. Library Acquisition:

A. KATHMANDU - - - - -	9,000.00
B. POKHARA - - - - -	2,500.00
C. DHANKUTA - - - - -	2,500.00

Total 14,000.00

65

VIII. Evaluation, Reporting and Auditing:

A. KATHMANDU

I. Evaluation & Reporting - - - -	18,000.00
II. Auditing and Others - - - - -	7,000.00

B. POKHARA

x

C. DHANKUTA

x

Total

25,000.00

65

BUDGET - SHEET

(2042-043) Fourth Year  
1985-86

Headings	Kathmandu	Pokhara	Dhankuta	Surkhet	Total
1. Legal Services to Women (Litigation fees, attorneys' salaries)	2,00,640.00	60,440.00	50,440.00	55,440.00	3,76,960.00
2. Legal Literacy Campaign (Outreach education classes, social workers' salaries)	1,56,100.00	26,860.00	26,860.00	26,860.00	2,36,680.00
3. Study of Women in Prison	34,000.00	-	-	-	34,000.00
4. Administrative Staff and Development and Salaries	1,77,429.00	17,395.00	17,395.00	17,395.00	2,29,614.00
5. Office Supplies	65,476.50	31,346.50	23,500.00	25,500.00	1,45,823.00
6. Travel Allowances, Project Allowances and Honoraria	2,66,090.50	32,777.50	32,777.50	32,777.50	3,64,423.00
7. Library Acquisitions	10,000.00	2,500.00	2,500.00	2,500.00	17,500.00
8. Evaluation, Reporting and Auditing	35,000.00	-	-	-	35,000.00
9. Inkind Nepali Contribution	(54,000.00)	(18,000.00)	(18,000.00)	(18,000.00)	(1,08,000.00)
Total					14,40,000.00

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Fourth Year  
Budget in Detail  
 (2042 - 43)

I. Legal Services to Women:

A. KATHMANDU

1. Litigation fees - - - - -	70,000.00
2. Attorneys' salaries - - - - -	<u>1,30,640.00</u>

Total 2,00,640.00

B. POKHARA

1. Litigation fees - - - - -	15,000.00
2. Attorneys' Salaries - - - - -	<u>45,440.00</u>

Total 60,440.00

C. DHANKUTA

1. Litigation fees - - - - -	15,000.00
2. Attorneys' salaries - - - - -	<u>45,440.00</u>

Total 60,440.00

D. SURKHET

1. Litigation fees - - - - -	10,000.00
2. Attorneys' salaries - - - - -	<u>45,440.00</u>

Total 55,440.00

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**B. POKHARA**

1. 2 days LLC training - - - -	6,000.00
2. Management expenses - - - -	2,500.00
3. Short-term training - - - -	1,000.00
4. Travel expenses and inauguration expenses - - -	6,000.00
5. Salaries of one social worker - - - - -	11,360.00

Total

26,860.00**C. DHANKUTA**

1. 2 days LLC training - - - - -	6,000.00
2. Management expenses - - - - -	2,500.00
3. Short-term training - - - - -	1,000.00
4. Travel expenses and inauguration expenses - - -	6,000.00
5. Salaries of one social worker - - - - -	11,360.00

Total

26,860.00

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**D. SURKHET**

1. 2 days LLC training - - - - -	6,000.00
2. Management expenses - - - - -	2,500.00
3. Short-term training - - - - -	1,000.00
4. Travel expenses and inauguration expenses - - - - -	6,000.00
5. Salaries of one social worker - - - - -	11,360.00

Total 26,860.00

**III. Study of Women in Prison:**

A. KATHMANDU - - - - -	34,000.00
B. POKHARA - - - - -	x
C. DHANKUTA - - - - -	x
D. SURKHET - - - - -	x

Total 34,000.00

**IV. Administrative Staff and Development and Salaries:**

A. KATHMANDU - - - - -	1,77,429.00
B. POKHARA - - - - -	17,395.00
C. DHANKUTA - - - - -	17,395.00
D. SURKHET - - - - -	17,395.00

Total 2,29,614.00

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V. Office Supplies:

A. KATHMANDU		
1. Offices Secretarial supplies -	-30,000.00	
2. Electricity consumption and fitting - - - - -	6,000.00	
3. Telephone - - - - -	4,000.00	
4. Fuel, Hospitalities, tea supplies etc. expenses - - -	13,476.50	
5. Durable materials and offices other materials maintenance -	12,000.00	
	Total	65,476.50
B. POKHARA		
1. Offices Secretarial supplies -	6,000.00	
2. Electricity consumption and fitting - - - - -	1,000.00	
3. Fuel, Hospitalities, tea supplies etc. expenses - - -	2,500.00	
4. Durable materials and offices other materials maintenance -	21,846.50	
	Total	31,346.50
C. DHANKUTA		
1. Office Secretarial supplies --	6,000.00	
2. Electricity consumption and fitting - - - - -	1,000.00	
3. Fuel, Hospitalities, tea supplies and other expenses- -	2,500.00	
4. Durable materials, offices furnitures and other fixtures--	14,000.00	
	Total	23,500.00

## D. SURKHET

1. Office Secretarial supplies --	4,000.00	
2. Electricity consumption and fitting - - - - -	1,000.00	
3. Fuel, Hospitalities, tea supplies and other expenses--	2,500.00	
4. Durable materials, offices furnitures and other fixtures--	18,000.00	
		25,500.00
Total		

VI. Travel Allowances, Project Allowances and Honoraria:

## A. KATHMANDU

1. <u>Travel Allowances:</u>		
a. Office staff travels - -	40,000.00	
b. Pokhara visit - - - - -	13,000.00	
c. Dhankuta visit - - - - -	20,000.00	
d. Surkhet visit - - - - -	35,000.00	
2. Project Allowances -- - -	97,090.50	
3. Honoraria - - - - -	36,000.00	
4. Board Meeting - - - - -	5,000.00	
5. Exploration Dipayal Branch Office - - - - -	20,000.00	
		2,66,090.50
Total		

## B. POKHARA

1. Travel Allowances - - - - -	5,000.00	
2. Project Allowances - - - - -	20,377.50	
3. Honoraria - - - - -	6,000.00	
4. Board Meeting - - - - -	1,400.00	
		32,777.50
Total		

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## C. DHANKUTA

1. Travel Allowances - - - - -	5,000.00
2. Project Allowances - - - - -	20,377.50
3. Honoraria - - - - -	6,000.00
4. Board Meeting - - - - -	1,400.00

Total

32,777.50

## D. SURKHET

1. Travel Allowances - - - - -	5,000.00
2. Project Allowances - - - - -	20,377.50
3. Honoraria - - - - -	6,000.00
4. Board Meeting - - - - -	1,400.00

Total

32,777.50VII. Library Acquisition:

A. KATHMANDU - - - - -	10,000.00
B. POKHARA - - - - -	2,500.00
C. DHANKUTA - - - - -	2,500.00
D. SURKHET - - - - -	2,500.00

Total

17,500.00VIII. Evaluation, Reporting and Auditing:

## A. KATHMANDU

I. Evaluation & Reporting - - - - -	20,000.00
II. Auditing and others - - - - -	15,000.00

Total

35,000.00

B. POKHARA x

C. DHANKUTA x

D. SURKHET x

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BUDGET - SHEET

(2043 - 2044) Fifth Year  
1986 - 1987

Headings	Kathmandu	Pokhara	Dhankuta	Surkhet	Dipayal	Total
1. Legal Services to Women (Litigation fees, attorneys' salaries)	2,00,640.00	60,440.00	60,440.00	55,440.00	55,440.00	4,32,400.00
2. Legal Literacy Campaign (Outreach education classes, social workers' salaries)	1,56,100.00	26,860.00	26,860.00	26,860.00	26,860.00	2,63,540.00
3. Study of Women in Prison	34,000.00	-	-	-	-	34,000.00
4. Administrative Staff Development and Salaries	1,77,429.00	17,395.00	17,395.00	17,395.00	17,395.00	2,47,009.00
5. Office Supplies	65,476.50	23,500.00	31,346.50	23,500.00	25,500.00	1,69,323.00
6. Travel Allowances, Project Allowances and Honoraria	2,66,090.50	32,777.50	32,777.50	32,777.50	32,777.50	3,97,200.50
7. Library Acquisitions	5,000.00	2,500.00	2,500.00	2,500.00	2,500.00	15,000.00
8. Evaluation, Reporting and Auditing	41,527.50	-	-	-	-	41,527.50
9. Inkind Nepali Contribution	(54,000.00)	(18,000.00)	(18,000.00)	(18,000.00)	-	(1,08,000.00)
Total						16,00,000.00

Fifth Year  
Budget in Detail  
 (2043 - 2044)

I. Legal Services to Women:

A. KATHMANDU

1. Litigation fees - - - -	70,000.00
2. Attorneys' salaries - - -	1,30,640.00

Total

2,00,640.00

B. POKHARA

1. Litigation fees - - - - -	15,000.00
2. Attorneys salaries - - - -	45,440.00

Total

60,440.00

C. DHANKUTA

1. Litigation fees - - - - -	15,000.00
2. Attorneys' salaries - - - -	45,440.00

Total

60,440.00

D. SURKHET

1. Litigation fees - - - - -	10,000.00
2. Attorneys' salaries - - - -	45,440.00

Total

55,440.00

E. DIPAYAL

1. Litigation fees - - - - -	10,000.00
2. Attorneys' salaries - - - -	45,440.00

Total

55,440.00

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II. Legal Literacy Campaign (Outreach education classes,  
social workers' salaries):

A. KATHMANDU

1.	10 days LLC training - - -	18,000.00
2.	Visit and contact - - - - -	4,000.00
3.	Management expenses - - - -	8,000.00
4.	Printing and publishing - - -	20,000.00
5.	Short-term visiting expert -	12,000.00
6.	LLC Training at Kabhre - -	6,000.00
7.	Management expenses at Kabhre - - - - -	2,500.00
8.	Short-terms Kabhre districts - - - - -	3,000.00
9.	Inauguration expenses etc.--	10,000.00
10.	LLC training at <sup>Maintainas</sup> <del>Terai</del> belt--	6,000.00
11.	Inauguration expenses in <del>Terai</del> belt - - - - -	10,000.00
12.	LLC for slums of KTM- <sup>Maintainas</sup>	11,160.00
13.	Salaries for 4 social workers - - - - -	45,440.00

Total

1,56,100.00

B. POKHARA

1.	2 days LLC training - - - -	6,000.00
2.	Management expenses - - - -	2,500.00
3.	Short-term training - - - -	1,000.00
4.	Travel expenses & inauguration - - - - -	6,000.00
5.	Salaries of one social worker - - - - -	11,360.00

Total

26,860.00

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## C. DHANKUTA

1.	2 days LLC Training - - - -	6,000.00
2.	Management expenses - - - -	2,500.00
3.	Short-term training - - - -	1,000.00
4.	Travel expenses & inauguration - - - -	6,000.00
5.	Salaries of <u>one</u> social worker - - - -	11,360.00

Total

26,860.00

## D. SURKHET

1.	2 days LLC training -- - -	6,000.00
2.	Management expenses - - - -	2,500.00
3.	Short-term of training - - -	1,000.00
4.	Travel expenses & inauguration - - - -	6,000.00
5.	Salaries of one social worker - - - -	11,360.00

Total

26,860.00

## E. DIPAYAL

1.	2 days LLC training - - - -	6,000.00
2.	Management expenses - - - -	2,500.00
3.	Short-term for training - -	1,000.00
4.	Travel expenses & inauguration - - - -	6,000.00
5.	Salaries of one social worker - - - -	11,360.00

Total

26,860.00

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III. Study of Women in Prison:

A. KATHMANDU	-----	34,000.00
B. POKHARA	-----	x
C. DHANKUTA	-----	x
D. SURKHET	-----	x
E. DIPAYAL	-----	x
	Total	34,000.00

IV. Administrative Staff and Development and Salaries:

A. KATHMANDU	-----	1,77,429.00
B. POKHARA	-----	17,395.00
C. DHANKUTA	-----	17,395.00
D. SURKHET	-----	17,395.00
E. DIPAYAL	-----	17,395.00
	Total	2,47,009.00

V. Office Supplies:

A. KATHMANDU		
1. Office Secretarial supplies	30,000.00	
2. Electricity consumption and fitting	6,000.00	
3. Telephone	4,000.00	
4. Fuel, Hospitalities, tea supplies etc. expenses	13,476.50	
5. Durable materials and offices other materials maintenance	12,000.00	
	Total	65,476.50

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## B. POKHARA

1. Office Secretarial supplies --	6,000.00
2. Electricity consumption and fitting - - - - -	1,000.00
3. Fuel, Hospitalities, tea supplies etc. expenses	2,500.00
4. Durable materials and offices other materials maintenance --	1,400.00

Total	<u>23,500.00</u>
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## C. DHANKUTA

1. Office Secretarial supplies --	6,000.00
2. Electricity consumption and fitting - - - - -	2,000.00
3. Fuel, Hospitalities, tea supplies and other expenses---	2,500.00
4. Durable materials, offices furnitures and other fixtures -	21,846.50

Total	<u>31,346.50</u>
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## D. SURKHET

1. Office Secretarial supplies --	6,000.00
2. Electricity consumption and fitting - - - - -	1,000.00
3. Fuel, Hospitalities, tea supplies and other expenses --	2,500.00
4. Durable materials, offices furnitures and other fixtures -	14,000.00

Total	<u>23,500.00</u>
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## E. DIPAYAL

1. Office Secretarial supplies --	4,000.00
2. Electricity consumption and fitting - - - - -	1,000.00
3. Fuel, Hospitalities, tea supplies and other expenses --	2,500.00
4. Durable materials, offices furnitures and other fixtures--	18,000.00

Total

25,500.00/II. Travel Allowances, Project Allowances and Honoraria:

## A. KATHMANDU

1. Travel Allowances:

a. Offices staff travel - -	40,000.00
b. Pokhara visit - - -	13,000.00
c. Dhankuta visit - - - - -	20,000.00
d. Surkhet visit - - - - -	20,000.00
e. Dipayal visit - - - - -	35,000.00
2. Project Allowances - - - - -	97,090.50
3. Honoraria - - - - -	36,000.00
4. Board Meeting - - - - -	5,000.00

Total

2,66,090.50

## B. POKHARA

1. Travel Allowances- - - - -	5,000.00
2. Project Allowances - - - - -	20,377.50
3. Honoraria - - - - -	6,000.00
4. Board Meeting - - - - -	14,000.00

Total

32,777.50

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## C. DHANKUTA

1. Travel Allowances - - - - -	5,000.00
2. Project Allowances - - - - -	20,377.50
3. Honoraria - - - - -	6,000.00
4. Board Meeting - - - - -	1,400.00

Total

32,777.50

## D. SURKHET

1. Travel Allowances - - - - -	5,000.00
2. Project Allowances - - - - -	20,377.50
3. Honoraria - - - - -	6,000.00
4. Board Meeting - - - - -	1,400.00

Total

32,777.50

## E. DIPAYAL

1. Travel Allowances - - - - -	5,000.00
2. Project Allowances - - - - -	20,377.50
3. Honoraria - - - - -	6,000.00
4. Board Meeting - - - - -	1,400.00

Total

32,777.50

VII. Library Acquisition:

A. KATHMANDU	- - - - -	5,000.00
B. POKHARA	- - - - -	2,500.00
C. DHANKUTA	- - - - -	2,500.00
D. SURKHET	- - - - -	2,500.00
E. DIPAYAL	- - - - -	2,500.00

Total

15,000.00

III. Evaluation, Reporting and Auditing:

A. KATHMANDU

I. Evaluation & Reporting	- -	26,527.50
II. Auditing and Others	- - - -	15,000.00

Total

41,527.50

B. POKHARA	x
C. DHANKUTA	x
D. SURKHET	x
E. DIPAYAL	x

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