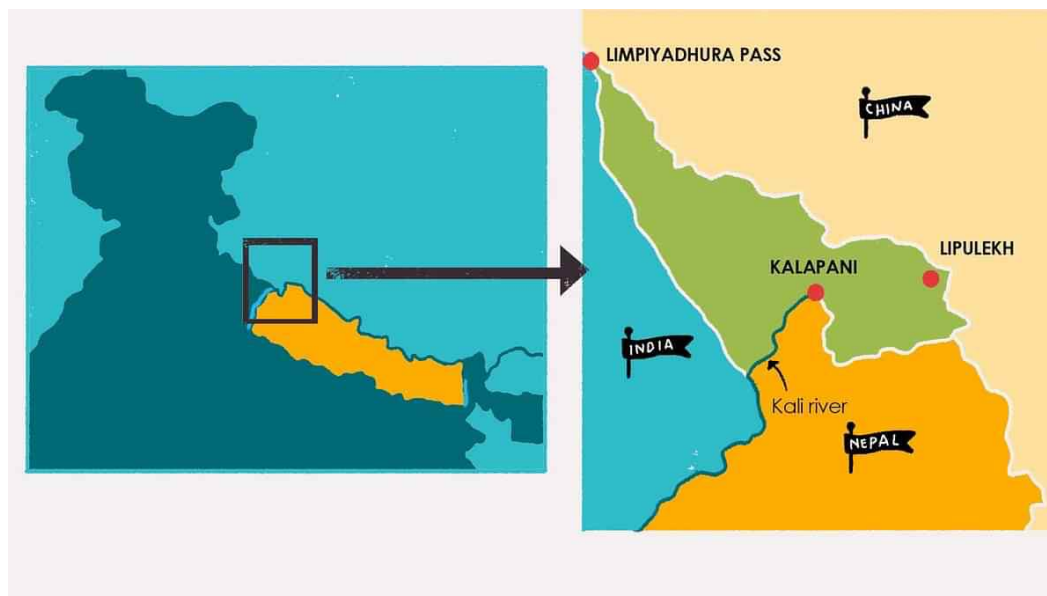




RSTV: Big Picture: India, Nepal Map row

- **CONTEXT:** Nepal Parliament passed a controversial bill that introduced a new map that includes Indian territories. India called this move “artificial enlargement of claims, not based on historical facts.”
- Nepal released a **new political map that claims Kalapani, Limpiyadhura and Lipulekh of Uttarakhand as part of Nepal’s territory.** The area of Susta (West Champaran district, Bihar) can also be noted in the new map.
- Nepal’s act is an unilateral act and is contrary to the bilateral understanding to resolve the outstanding boundary issues through diplomatic dialogue. India has also asked Nepal to return to dialogue.
- Nepal’s move came after India’s Defence Minister recently inaugurated a motorable link road that connects India and China, significantly reducing the time of Kailash Mansarovar Yatra.



- **THE DISPUTE:**
 - The immediate provocation is the long-standing territorial issue surrounding Kalapani.
 - Kalapani is a patch of land near the India-Nepal border, close to the Lipulekh Pass on the India-China border, which is one of the approved points for border trade and the route for the Kailash-Mansarovar yatra in Tibet.
 - India inherited the boundary with Nepal, established between Nepal and the East India Company in the Treaty of Sugauli in 1816.
 - Kali river constituted the boundary, and the territory to its east was Nepal.
 - The dispute relates to the origin of Kali.
 - Near Garbyang village in Pithoragarh district of Uttarakhand, there is a confluence of different streams coming from north-east from Kalapani and north-west from Limpiyadhura.
 - The early British survey maps identified the north-west stream, Kuti Yangti, from Limpiyadhura as the origin, but after 1857 changed the alignment to Lipu Gad, and in 1879 to Pankha Gad, the north-east streams, thus defining the origin as just below Kalapani.
 - Nepal accepted the change and India inherited this boundary in 1947.
 - The Maoist revolution in China in 1949, followed by the takeover of Tibet, created deep misgivings in Nepal, and India was ‘invited’ to set up 18 border posts along the Nepal-Tibet border.
 - The westernmost post was at Tinkar Pass, about 6 km further east of Lipulekh.
 - In 1953, India and China identified Lipulekh Pass for both pilgrims and border trade.
 - In 1961, King Mahendra visited Beijing to sign the China-Nepal Boundary Treaty that defines the zero point in the west, just north of Tinkar Pass.
 - By 1969, India had withdrawn its border posts from Nepali territory. The base camp for Lipulekh remained at Kalapani, less than 10 km west of Lipulekh.
 - In their respective maps, both countries showed Kalapani as the origin of Kali river and as part of their territory.
 - After 1979, the Indo-Tibetan Border Police has manned the Lipulekh Pass.
 - In actual practice, life for the locals (Byansis) remained unchanged given the open border and free movement of people and goods.



- After the 1996 Treaty of Mahakali (Kali river is also called Mahakali/Sarada further downstream) that envisaged the Pancheshwar multipurpose hydel project, the issue of the origin of Kali river was first raised in 1997.
 - **The matter was referred to the Joint Technical Level Boundary Committee that had been set up in 1981.**
 - The Committee clarified 98% of the boundary, leaving behind the unresolved issues of Kalapani and Susta (in the Terai) when it was dissolved in 2008.
 - It was subsequently agreed that the matter would be discussed at the Foreign Secretary level.
 - **Meanwhile, the project to convert the 80-km track from Ghatibagar to Lipulekh into a hardtop road began in 2009 without any objections from Nepal.**
 - The Survey of India issued a new political map (eighth edition) on November 2, 2019, to reflect the change in the status of Jammu and Kashmir as two Union Territories.
 - Nepal registered a protest though the map in no way had changed the boundary between India and Nepal.
 - However, on November 8, the ninth edition was issued. The delineation remained identical but the name Kali river had been deleted.
 - Predictably, this led to stronger protests, with Nepal invoking Foreign Secretary-level talks to resolve issues.
 - **The re-eruption of the Kalapani controversy took place when Indian Defence Minister did the inauguration of the 80-km road in May 2020.**
 - A subsequent comment by the Indian Chief of the Army Staff that "Nepal may have raised the issue at the behest of someone else" was insensitive, given that the Indian COAS is also an honorary general of the Nepal Army and vice-versa, highlighting the traditional ties between the two armies.
 - On May 22, a constitutional amendment proposal was tabled to include it in a relevant Schedule. The new alignment adds 335 sq km to Nepali territory, territory that has never been reflected in a Nepali map for nearly 170 years.
- **Significance of the area**
 - **Strategic location:** Kalapani, which is advantageously located at a height of over 20,000 ft and serves as an observation post for that area.
 - **Trade:** China-India trading post at Lipu Lekh, the earliest to be established between the two countries.
 - **Pilgrimage**
 - It is on the route of the annual Kailash Mansarovar Yatra.
 - Earlier route had 20 percent land journeys on Indian roads and 80 percent land journeys in China. Now the ratio has been reversed. Now pilgrims to Mansarovar will traverse 84 percent land journeys on Indian roads and only 16 percent in China.
 - **Counter China**
 - India is constructing border roads through the borders to counter Chinese influence in the region.
 - A recent road initiative is one of such actions of India.
 - **BACKGROUND:**
 - As close neighbors, India and Nepal share unique ties of friendship and cooperation characterized by an open border and deep-rooted people-to-people contacts of kinship and culture.
 - Nepal shares a border of over 1850 km with five Indian states – Sikkim, West Bengal, Bihar, Uttar Pradesh and Uttarakhand.
 - The **India-Nepal Treaty of Peace and Friendship of 1950** forms the bedrock of the special relations that exist between India and Nepal. Nepalese citizens avail facilities and opportunities on par with Indian citizens in accordance with the provisions of the Treaty.
 - Nearly 8 million Nepalese citizens live and work in India.
 - **HIGH LEVEL EXCHANGES:**
 - There are regular exchanges of high-level visits and interactions between India and Nepal.
 - India and Nepal have several bilateral institutional dialogue mechanisms, including the **India-Nepal Joint Commission** co-chaired by External Affairs Minister of India and Foreign Minister of Nepal.
 - In May 2019, the Federal Parliament of Nepal **formed 'Nepal-India Parliamentary Friendship Group'** comprising nine members from both the houses of the Federal Parliament of Nepal.
 - **DEFENCE COOPERATION:**
 - India has been assisting the Nepal Army in its modernisation by supplying equipment and providing training.
 - Assistance during disasters, joint military exercises, adventure activities and bilateral visits are other aspects of India's defence cooperation with Nepal.
 - The 'Indo-Nepal Battalion-level Joint Military Exercise **SURYA KIRAN**' is conducted alternately in India and in Nepal.
 - Since 1950, India and Nepal have been awarding each other's Army Chief with the honorary rank of General in recognition of the mutual harmonious relationship between the two armies.



- The **Gorkha regiments of the Indian Army** are raised partly by recruitment from hill districts of Nepal. Currently, about 32,000 Gorkha Soldiers from Nepal are serving in the Indian Army.
- **2015 EARTHQUAKE IN NEPAL:**
 - Government of India swiftly dispatched National Disaster Response Force (NDRF) teams and special aircrafts with rescue and relief materials to Nepal.
 - In February 2016, an MoU on the Utilization of the Grant of US\$ 250 million was signed.
 - Similarly, in September 2016, a Line of Credit (LoC) Agreement for post-earthquake reconstruction projects for US\$ 750 million was signed.
- **CONNECTIVITY AND DEVELOPMENT PARTNERSHIP:**
 - Government of India's development assistance to Nepal is a broad-based programme focusing on creation of infrastructure at the grass-roots level.
 - The total economic assistance earmarked under '**Aid to Nepal**' budget in FY 2019-20 was **INR 1200 crore**.
 - In January 2020, the Prime Ministers of India and Nepal remotely inaugurated the Integrated Check Post at Biratnagar (Nepal).
 - Apart from grant assistance, Government of India has extended **Lines of Credit of USD 1.65 billion** for undertaking development of infrastructure, including post-earthquake reconstruction projects.
- **WATER RESOURCES COOPERATION:**
 - A large number of small and large rivers flow from Nepal to India and constitute an important part of the Ganges river basins.
 - A three-tier bilateral mechanism established in 2008, to discuss issues relating to cooperation in water resources, flood management, inundation and hydropower between the two countries, has been working well.
- **ENERGY COOPERATION:**
 - India and Nepal have a Power Exchange Agreement since 1971 for meeting the power requirements in the border areas of the two countries, taking advantage of each other's transmission infrastructure.
 - India is currently supplying a total of about 600 MW of power to Nepal.
 - An Agreement on '**Electric Power Trade, Cross-border Transmission Interconnection and Grid Connectivity**' between India and Nepal was signed in 2014.
 - South Asia's first cross-border petroleum products pipeline connecting Motihari in India to Amlekhgunj in Nepal was inaugurated in 2019.
- **ECONOMIC:**
 - India is the **largest trading partner of Nepal**.
 - Indian firms are among the largest investors in Nepal, accounting for more than 30% of the total approved foreign direct investments.
 - There are about 150 Indian ventures operating in Nepal
- **EDUCATION:** India provides around 3000 scholarships/seats annually to Nepalese nationals for various courses.
- **CULTURE:** Indian initiatives to promote people-to-people contacts in the fields of art & culture, academics and media include cultural programmes, symposia and events organized in partnership with different local bodies of Nepal, as well as conferences and seminars in Hindi.
- **INDIAN COMMUNITY:** Around 6,00,000 Indians are living/ domiciled in Nepal. These include businessmen and traders who have been living in Nepal for a long time, professionals (doctors, engineers, IT personnel) and labourers (including seasonal/migratory in the construction sector).
- **ANALYSIS:**
 - The complexity underlying India-Nepal issues that cannot be solved by rhetoric or unilateral map-making exercises.
 - Such brinkmanship only breeds mistrust and erodes the goodwill at the people-to-people level.
 - Political maturity is needed to find creative solutions that can be mutually acceptable.
 - Prime Minister Modi started with "neighbourhood first" policy. He started with a highly successful visit to Nepal in August 2014.
 - But the relationship took a nosedive in 2015 when India first got blamed for interfering in the Constitution-drafting in Nepal and then for an "unofficial blockade" that generated widespread resentment against the country.
 - China card has provided Nepal the leverage to practise their version of non-alignment. Today's China is pursuing a more assertive foreign policy and considers Nepalese an important element in its growing South Asian footprint.
 - India has ignored the changing political narrative in Nepal for far too long.
 - India remained content that its interests were safeguarded by quiet diplomacy even when Nepali leaders publicly adopted anti-Indian postures.
 - For too long India has invoked a "special relationship", based on shared culture, language and religion, to anchor its ties with Nepal.
 - Today, this term carries a negative connotation — that of a paternalistic India that is often insensitive and, worse still, a bully.



- 1950 Treaty of Peace and Friendship which was sought by the Nepali authorities in 1949 to continue the special links it had with British India and provides for an open border and right to work for Nepali nationals is viewed as a sign of an unequal relationship, and an Indian imposition.

Susta Dispute

- Susta is a disputed territory between Nepal and India.
- It is administered by India as part of the **West Champaran district of Bihar**.
- The disputed territory is located on the eastern side of the Gandak river (Narayani River in Nepal).
- According to the **Sugauli Treaty**, the **Gandak** river is the international boundary.
- The Eastern part of the river belongs to India and the western part of the river belongs to Nepal.
- At the time the treaty was signed Susta village was situated west of the river. But, over the years, the Gandak river changed its course and Susta moved to the east side of the river, which is now on the Indian side of the river.
- Nepal maintains the Gandak's course in 1816 to be taken as the fixed international boundary but India claims that land on the eastern side of the river is its territory.



WAY FORWARD:

- The current border dispute reflects a growing structural problem in India-Nepal relations.
- Experts identify the territorial dispute as "merely a symptom of the structural changes unfolding in the external and internal context of the bilateral relationship."
- Delhi and Kathmandu need to work hard to keep their relationship stable, even if not special.
- India can no longer afford to focus on its past Cold War policies of right of first refusal.
- Even after political trust is restored and diplomatic dialogue begins, both sides will have to compromise.
- The sooner India settles this dispute with Nepal, the lesser the chances for China to get involved.
- The only workable solution is to seek some form of co-management or shared sovereignty for the disputed territory.
- There are many possibilities: joint deployment of military and police forces, establishing special economic zone.
- It is in the interest of both that Indian and Nepali pilgrims can use the improved infrastructure in the Kalapani region to reach Mount Kailash.
- Delhi and Kathmandu could lead the way to liberate the subcontinent from the sovereignist, nationalist and territorial logic that continues to leave everyone in the region worse off.

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