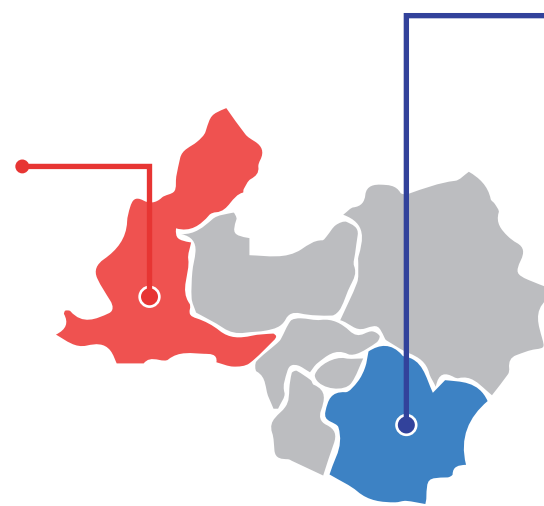


Welcome to the twelfth **Citizen Helpdesks Bulletin**! Citizen Helpdesks is a group of young volunteers known as Community Frontline Associates (CFAs) who gather and disseminate information on critical issues affecting Nepali citizens to eliminate information gaps between the government, the media, donor organizations and communities; and improve collective decision-making.

## Concerns

### JWALAMUKHI, DHADING

“Does the local government address issues that migrant workers face such as manpower agencies’ fraudulence or if one is stranded in a foreign country?”



### DHULIKHEL, KAVREPALANCHWOK

“Do we need to go to Kathmandu to register complaints related to foreign employment or is it possible to register complaints at the district level?”

## Answers

Currently there is no provision for registering complaints related to foreign employment at the local level . However, one does not need to go to Kathmandu to register cases. He/She can register cases at the District Administration Office(DAO).

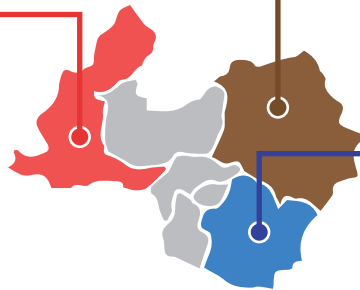
Depending on the nature of the case registered, the DAO will address most cases. In more difficult circumstances, cases are referred to the Department of Foreign Employment (DOFE) based in Kathmandu. Once the case is registered, the DOFE initiates the legal process against the alleged individual or agency.



## Questions

### **DHUNEBESI, DHADING**

“What kind of cases are addressed at the local level?”



### **CHAUTARA, SINDHUPALCHWOK**

“Is it possible for the concerned party to refer the cases to Appellate court if they are not satisfied with the decision made at the local level by the municipality or rural municipality?”

### **MANDAN DEUPUR, KAVRAPALANCHOWK**

“What type of cases will be addressed by the judicial committee that is being led by the deputy mayor or deputy chairperson of recently formed municipalities?”

## Answers

The Local Government Operations Act 2074, formulated by the Ministry of Law, Justice and Federal Affairs to regulate the activities of the local government, states that the deputy mayor or deputy chairperson of municipality and rural municipality will lead the judicial committee.

The Judicial Committee has the right to resolve the conflicts related to the following matters:

- a) Boundary disputes related to farming lands, and usage and distribution of pipe-water;
- b) Damaging someone else's crops;
- c) Grazing lands, saplings and firewood;
- d) Not paying wages;
- e) Loss of domestic animals;
- f) Not taking care of senior citizens;
- g) Not providing food and education to children, wife or husband;
- i) Rent and facilities of a house valued up to Rs25 lakhs;
- j) Affecting someone else's property by planting trees and other plants;
- k) Creating a drainage from one's house and farming land affecting public and someone else's private properties;
- l) Not following the rules of leaving space between two houses while constructing the window towards another house;
- m) If someone has the right or owns the public property which is being used from a long time such as road, exiting pathway for animal from their respective sheds, grazing lands, irrigation channels, ponds, 'pati', 'pauwa', cemetery, religious spaces, or any other public space; and
- n) Other debates that are to be solved by the local level as stated in Federal or Provincial law.

The judicial committee has to provide a copy of the approved decision to the concerned party within a period of 35 days. If the concerned party is not happy with the decision, then he/she can appeal to the district court within 35 days from the day of the decision.

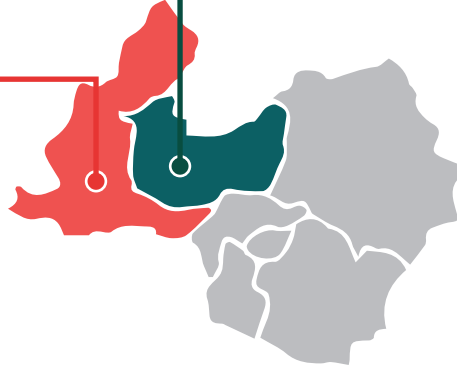
### **SOURCE**

Local Government Operations Act 2074.

## Concerns

### DHUNEBESI, DHADING

“Will the Department of Foreign Employment provide compensation for medical expenses of the migrant worker’s family members?”



### BIDUR, NUWAKOT

“Is it true that the family members of the of a migrant worker can claim his/her insurance if the family member is injured or sick?”

## Answers

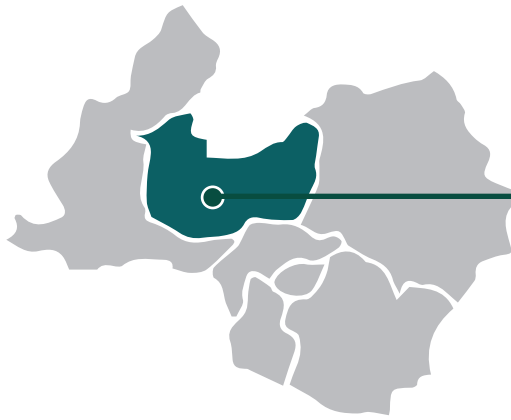
There is a provision for the family members of the migrant workers to get compensation up to Rs. 50,000 from the Foreign Employment Promotion Board (FEPB) if they are hospitalized for any of these five reasons - cancer, kidney failure, heart surgery, Parkinson’s or Alzheimer’s disease. However, documents proving that the victim is a family member of a migrant worker, an original medical report, and receipts of the medical expenses are required to claim the amount.

Insurance cannot be claimed by family members - only the migrant worker himself/herself - unless the member has died in which case a family member can claim the insurance within the time frame set up by their Insurance Policy (typically between 2-3 years).

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# Insights

## Story from the Field



### **Shambhu Jung Pandey** Bidur, Nuwakot

Shambhu Jung Pandey, a 35 year old migrant worker from Bidur Municipality, Nuwakot, fell ill while working in Saudi Arabia. Because treatment was not possible in Saudi Arabia, he requested a leave of absence and flight tickets to return to Nepal from his company. Shortly after his request, his family was informed that his dead body was found on the beach near his company.

The difficulty in retrieving Shambhu's body from Saudi Arabia made an already devastating situation even more traumatic. After multiple unsuccessful attempts to retrieve the body, Shambhu's nephew contacted a Helpdesk's CFA based in Nuwakot, Ms. Namuna Bogati. Namuna helped him write an application letter and collect the necessary documents for submission to the Center for Migration and International Relations (CMIR). CMIR defends and supports the rights of Nepali migrant workers and their family members. Three months later, Shambhu's body successfully reached Kathmandu. CMIR also helped Shambhu's wife receive Rs 300,000 in compensation from the Foreign Employment Promotion Board's welfare fund; claim the insurance amount from the insurance company; and started a government scholarship scheme for Shambhu's two children.

## Know Before You Go - the latest Government Decisions

- Information on full scholarships and accommodations for the children of migrant workers now deceased or in critical health condition ([Link](#))
- List of the countries opened by Government of Nepal for foreign employment ([Link](#))
- Local Government Operations Act 2074 ([Link](#))

The sources of information, rumours and issues presented here are collected from CFAs, community meetings, development agencies and face-to-face discussions in communities with over 375 people in 4 districts between 1st February – 28th February 2018. The issues highlighted are chosen on the basis of prevalence and relevance. The information presented here is correct at the time of issue.

Citizen Helpdesks Bulletin is brought to you by **Accountability Lab** in collaboration with **Local Interventions Group**.

