

W GOVERNANCE E K L Y

Issue | 134 | AUG 16, 2024

Challenges for Nepal's Constitutional Bodies: Vacant Positions and Political Bias

Nepal has [13 constitutional bodies](#) designed to enhance public accountability and ensure that the government and public bodies remain accountable for their functions. However, the existing functions of the bodies are often marred by significant challenges including lack of resources and political influence undermining their effectiveness.

Currently, six positions are vacant across five constitutional bodies. There are allegations that these positions are used to reward party loyalists to keep them satisfied. Appointments based on political affiliations within constitutional bodies, intended to uphold government accountability, transparency, and fairness, paradoxically hinder their ability to scrutinize governmental actions. In 2021, the government led by KP Sharma Oli recommended 52 members for different constitutional bodies from the Commission for Investigation of Abuse of Authority (CIAA) to the National Human Rights Commission (NHRC) by amending the laws through an ordinance. However, the controversy surrounding these appointments is still under review by the constitutional bench in the Supreme Court. It is also causing delays for the government to proceed with new appointments.

Meanwhile, these constitutional bodies also face several obstacles and negligence that hinder their performances. The National Inclusion Commission, particularly, hasn't been able to have a fully functioning executive body since its establishment. Moreover, there are also more than one constitutional bodies that cover similar areas of work. For instance, the areas of the Inclusion Commission and Indigenous Commission both look into the rights of marginalized and vulnerable groups and their inclusion. Also, there is a lack of province-level structures for most commissions, except for the NHRC and CIAA, which complicates coordination with local governments. Provincial governments, meanwhile, are pushing for provincial representation in the appointment of members or the establishment of their commissions. Thus, there is a clear need for political commitment to ensure these bodies are adequately resourced and autonomous, allowing them to fulfill their intended roles effectively.

Read more: [Ratopati](#)

Governance issues of the week

- 1 Kathmandu Metropolitan City has issued a seven-day notice to Chandbagh School in Bansbari to vacate public land. The city has warned that the school will be locked if it doesn't comply. The land in question was once occupied by Bansbari Leather and Shoe Factory and was allegedly transferred illegally to private ownership in 1992. Today, both the land and the school are owned by the Chaudhary Group.
Read more: [The Kathmandu Post](#)
- 2 The special report on children from the 2021 Census has revealed that Madhesh Province has a significantly higher, 20 percent out-of-school children ratio, compared to the national average of 5.4 percent. The province also faces a high dropout rate and the lowest literacy rate at 85.7 percent. Additionally, the census indicates a 10.9 percent decrease in the total number of children in Nepal from 2011 to 2021, with a significant drop in the number of girls.
Read more: [The Rising Nepal](#)
- 3 The number of Nepali citizens being deported from foreign countries is increasing. In the last three years between August 2021 and August 2024, 3,937 Nepali citizens due to issues such as fake visas, illegal entry, and overstaying visas. The annual depot has also increased to 1,442 in 2023 and 489 in the first half of 2024, with significant returns from the UAE, Saudi Arabia, Malaysia, Turkey, and the US.
Read more: [Onlinekhabar](#)
- 4 The Kathmandu Valley has only 66 traffic lights installed, among which 48 are currently malfunctioning, leaving only 18 operational. This has resulted in poor traffic management at key roads and intersections, with traffic police resorting to manual regulating the traffic. The responsibility of the traffic light repair falls under the road division and local government, but currently, 1800 traffic personnel are mobilized in Kathmandu Valley.
Read more: [Naya Patrika](#)
- 5 The National Identity Card (NID) is set to substitute the driving license in the government system, allowing police to verify licenses using the card or its number. A new system will connect the National Identity Card to the license, removing the need for drivers to carry a physical license. The software has been developed, and mobile devices necessary for license checks are in the procurement process. The rule will take effect once these devices are used.
Read more: [Kantipur](#)
- 6 The government has approved an action plan for comprehensive reforms in the civil aviation sector, including the operation of Gautam Buddha and Pokhara International Airports. Despite significant investments, these airports are still not operational for regular international flights, leading to public criticism of the government.
Read more: [Onlinekhabar](#)

Nepal Governance Weekly is an analytical update of Nepal's current affairs based on media and real sources mining, to sensitize the communities on hot news on various governance issues from the perspective of accountability.

Presented by



Copyright © 2021 Accountability Lab Nepal, All rights reserved.

Our return e-mailing address is:
nepal@accountabilitylab.org