

Chapter 2

2.3 State and Human Rights

Legislature

Photo: Bimal Chandra Sharma



Parliament is an important institution for exercising the sovereignty of the people. It has important policy and lawmaking functions. The Constitution states that no tax will be levied without the approval of the people's representatives. Any form of taxation has to be first presented in the parliament for approval. The House of Representatives consists of 275 representatives elected through two different processes. Nepal has 165 constituencies based on population and geographical suitability and uniqueness, with one person from each constituency elected on the basis of the first-past-the-post (FPTP) system. The parliament has 275 members, including 110 members elected through the Proportional Representation system.¹

The legislature is expected to play an important role in protecting and promoting the fundamental rights enshrined in the Constitution. As the supreme policy-making body, the laws developed by the legislature determine the status of human rights. The role of the parliament in preventing human rights violations by the government and various other bodies, by debating such issues and alerting the government, assist the implementation of the constitutional rights. The legislature has authority to protect and promote human rights of people by enacting laws, debating issues of public concern, passing no-confidence motions against heads of government who violate human rights, impeaching the head of state, building pressure through parliamentary obstructions and using the zero hour to raise human rights concerns. The lawmakers also held human rights violating bodies accountable to parliament through a special resolutions. The Members of Parliament

also raised concerns about the human rights violation of people with COVID-19 infections, delays in rescue and rehabilitation of victims of natural disasters, actions of law enforcement agencies, and corruption.²

The legislature can also play an important role in protecting and promoting human rights by ensuring compliance to various human rights treaties, conventions, agreements and international standards approved/ ratified by the state, and by drafting national laws based on these standards and international law. The Law, Justice and Human Rights Committee, is the parliamentary committee that has a leading role in this process.

In the beginning of 2020 the lower house of parliament had a vacant position of Speaker. Concerns were expressed nationally and internationally about the election of Agni Prasad Sapkota, as Speaker, a candidate of the ruling Communist Party of Nepal (CPN). Sapkota faces accusations in the enforced disappearance and subsequent murder of Arjun Lama of Kavre.³ A case filed by Lama's wife, Purnimaya Lama, is still under consideration at the Supreme Court, while the police had listed Sapkota as being at large. His appointment as the Speaker of the House was therefore seen as a move against Nepal's national and international commitments to human rights principles and standards. INSEC issued a press release on January 20, 2020, stating that it was a matter of national shame to have people accused in serious crimes repeatedly being given responsibility in the state instead of being investigated, despite court orders and concerns raised by victims and human rights activists.⁴ The statement said that such decisions of

1. <https://hr.parliament.gov.np/np/house-of-representative-nepal>
2. <https://hr.parliament.gov.np/np/house-of-representative-nepal>
3. http://www.insec.org.np/victim/candidate_details_user.php?MFID=14855
4. <http://inseconline.org.np/press/%e0%a4%95%e0%a4%be%0%a4%a8%e0%a5%81%e0%a4%a8%e0%a5%80-%e0%a4%b6%e0%a4%be%0%a4%b8%e0%a4%a8%e0%a4%95%e0%a5%8b-%e0%a4%b8%e0%a4%ae%0%a5%8d%e0%a4%ae%0%a4%be%0%a4%a8-%e0%a4%97%e0%a4%b0/>

political parties were against the existing legal system and the rule of law. It added that the appointment at a time when world was carefully watching progress in transitional justice and that the action contradicted and made a mockery of Nepal's international commitments, and commitment to human rights. INSEC had even appealed the CPN to review the decision to nominate Sapkota as candidate for the position.

After the resignation of Krishna Bahadur Mahara in 2019, the Deputy Speaker had continued the work of parliament until early 2020. The post of Deputy Speaker, which was vacant after the election of the Speaker, remained vacant throughout the year. The Constitution requires the Speaker and the Deputy Speaker to be of different gender and political parties. However, no attempt was made to select a Deputy Speaker in 2020, which the opposition had been demanding throughout.

The Secretariat of the Federal Parliament issued a notice on July 11, 2020 and announced that the position of Socialist Party MP Sarita Giri had been vacated. Giri was relieved of her position after the Parliament Secretariat informed the Speaker about the letter received from the Socialist Party that had expelled her from the party. As per Article 89 of the Constitution, she was subsequently expelled from the parliament. The Socialist Party decided to expel Giri after she went against the party whip in a vote on the proposed amendment to the Constitution to include Nepal's new map in the national emblem (stamp).⁵

This year the federal parliament was not productive in many ways. The activities of the parliament on issues relating to livelihoods, which should have been actively executed, were halted on various pretexts. In December the parliament was dissolved by the Prime Minister three years into its five-year tenure. It was dissolved by President Bidhyadevi Bhandari at the recommendation of Prime Minister KP Oli on December 20, 2020, and fresh elections were announced for April-May 2021.⁶ The issue of dissolution raised several constitutional questions that was being reviewed by the Supreme Court at the end of the year. The debate is about whether or not the Prime Minister had authority to dissolve the parliament as per the provisions of the Constitution. The parliament that ended on July 2, 2020, was dissolved before it could resume. As it is constitutionally mandatory to convene sessions within six months, the President convened a session of the National Assembly on January 1, 2021 on the recommendation of the government.⁷

Nepal's constitution envisages two chambers in the federal parliament – the National Assembly and House of Representatives. The absence of the House of Representatives also affected the functioning of the National Assembly. In the absence of the House of Representatives, the bills registered and passed in the National Assembly can't become law.

Parliamentary Sessions

In 2020, the parliament had two short sessions. As the winter session is also the bills' session, there were more

5. <https://ekantipur.com/news/2020/07/09/15942872307138079.html>

6. <https://president.gov.np/%e0%a4%b5%e0%a4%bf%e0%a4%9c%e0%a5%8d%e0%a4%9e%e0%aa%e0%a5%8d%e0%a4%a4%e0%a4%bf-9/https://president.gov.np/%e0%a4%b5%e0%a4%bf%e0%a4%9c%e0%a5%8d%e0%a4%9e%e0%a4%aa%e0%a5%8d%e0%a4%a4%e0%a4%bf-9/>

7. <https://president.gov.np/%e0%a4%b8%e0%a4%ae%e0%a5%8d%e0%a4%ae%e0%a4%be%e0%a4%a8%e0%a4%a8%e0%a5%80%e0%a4%af-%e0%a4%b0%e0%a4%be%e0%a4%b7%e0%a5%8d%e0%a4%9f%e0%a5%8d%e0%a4%b0%e0%a4%aa%e0%a4%a4%e0%a4%bf-%e0%a4%b6%e0%a5%8d-111/>

than 50 bills registered for law making. However, the winter session ended in March due to a nationwide lockdown to control the COVID-19 pandemic. Similarly, the budget session passed only bills on budget and expenditure. Immediately after the end of the winter session, the government issued an ordinance on the division of political parties and the Constitutional Council that became controversial even within the ruling CPN. However, following widespread protests, the government had withdrawn the ordinances.

When the country was plagued by the corona virus pandemic, various issues of public importance entered the parliament's zero hour, which through various resolutions helped to the government towards addressing the matters of public interest. However, it too did not stay in session for long. The parliament is the most important platform for people's representatives to influence public policy, the decisions to be taken by the government, and make urgent legal arrangements to address issues related to the livelihood of citizens. Even the opposition parties had largely ignored their role parliament that being neglected by the government.⁸ Some also said the opposition's inactions were a reflection of its weak presence in the house.⁹ On the recommendation of government, President Bidhya Devi Bhandari adjourned the budget session of the parliament that was underway at the start of the COVID-19 pandemic in Nepal. This decision of government had resulted in widespread criticism, because of the business that was outstanding.¹⁰

Constitution Amendment

The House of Representatives passed the 'Constitution of Nepal (Second Amendment) Bill, 2077', which included

an updated map of Nepal, by more than two-thirds of the votes. The meeting of the House of Representatives on June 13, 2020, approved a historic government proposal on the map of Nepal that included Limpiyadhura – Nepali territory encroached by India. The vote for the amendment of the Constitution, had 258 votes in favor and none against. Speaker Agni Sapkota had announced that the amendment bill was passed by more than two-thirds of the votes in the 275-member parliament. A two-thirds majority of the total number of members is required to approve amendment to the Constitution. The Government of Nepal had released a new political map of Nepal on May 20, including the Limpiyadhura, Kalapani Lipulek areas.¹¹

The Secretariat of the Federal Parliament issued a notice on July 9, 2020 announcing the vacation of the seat held by the Janata Samajwadi Party MP, Sarita Giri. She was relieved of her seat after her party informed the Secretariat of her expulsion from the party by Bharat Raj Gautam, its general secretary. The Socialist Party had decided to expel Giri for going against the party whip in the constitution amendment vote.

Delays in Lawmaking

The most important constitutional responsibility of the parliament is to enact laws. It is very important to make and amend laws for the conduct of state. However, Parliament was not able to discharge this constitutional obligation satisfactorily. Consensus was not reached on the Citizenship Act Amendment Bill within the committees of the House of Representatives. Many bills were stalled due to political tensions, and infighting in the ruling CPN that led to the dissolution

8. Sarakarko-upechhyam-chhandaithiyo-samsad-aba-bipachhiko-pani-bewastama-himalkhabar.com

9. https://nagariknews.nagariknetwork.com/politics/177011-1556092860.html?click_from=category

10. <https://ratopati.com/story/136906/2020/7/2/sansad-ended->

11. <https://ratopati.com/story/134284>

of parliament. Five bills with reports had been tabled in the House of Representatives after being passed by the parliamentary committees. The dissolution also stalled discussions on five non-governmental bills that had been registered. As result, the National Security Council Bill, Peace and Security Bill, Bill on Accelerated Construction and Development of National Priority Projects; Insurance Bill; Federal Civil Service Bill; Public Service Commission Bill; Nepal Citizenship First Amendment Bill; Bill on Information and Technology, and the Bill on Senior Citizens, remained unapproved.¹²

The dissolution also made the Export-Import Regulation Bill, Military Act (First Amendment) Bill, Public Procurement (Third Amendment) Bill, Competition Promotion and Market Protection Bill presented in the House of Representatives inactive. Likewise, Nepal Media Council Bill, Kathmandu Valley Public Transport Bill, Nepal Special Services Bill, Policy Research Institute Bill, Plant Protection Bill, Seed (Second Amendment) Bill that were tabled in the House of Representatives through National Assembly were also not passed.¹³ Five non-government bills under consideration in the House of Representatives were also included in the list of inactive bills.¹⁴

Zero Hour and Special Time of Parliament

In parliamentary practice, zero hour and special time are considered as a forum for raising important issues, also from the point of view of human rights. In zero hour and special time, MPs debate issues of public importance and public interest, and also draw government attention to the concerns. As per the rules of the House of Representatives, the concerned minister is required to respond to the que-

ries raised by the parliamentarians during zero hour and special time within five days. Section 15 (1) of the Rules states, “The Speaker may, considering the workload of the House, set zero hour and special time for the presentation of current issues.” Accordingly, Article 15 (2), “As per the Sub-rule (1), concerned ministers will have to provide the answers to the issues raised in the zero hour and special time to the House through the Speaker within five days.” However, a number of questions raised by the MPs never get answered.¹⁵

As in the previous years, the lawmakers drew the attention of the government on various issues through the zero hour and special time. These included concerns over the provision of health rights and treatment to those affected by the COVID-19 pandemic, motion to draw attention of the government on the issue of people who were unable to return home, and those who had to walk all the way to their home districts due to the lockdown, a motion about questions asked to the concerned minister, a motion on issues of urgent public importance, among others.

Activities of the Parliamentary Committees

This year too, as in previous years, various committees of the parliament remained active in addressing the irregularities and matters of public importance in various sectors including human rights and contemporary issues. The committees played a positive role in investigating the incidents of human rights violations, seeking information about such incidents (from the Office of the Prime Minister and Council of Ministers and officials), and giving necessary instructions to the government agencies.

12. Executive-Nepal Human Rights Year Book 2020

13. <https://www.onlinekhabar.com/2020/12/914160>

14. <https://www.onlinekhabar.com/2020/12/914160>

15. <https://www.nayapatrikadaily.com/news-details/38331/2020-03-10>

SN	Committee No.	House of Representatives	Remarks
1	1	Finance Committee	
2	2	International Relations Committee	
3	3	Industry, Commerce, Labour and Consumer Welfare Committee	
4	4	Committee on Law, Justice and Human Rights	
5	5	Education and Health Committee	
6	6	Public Accounts Committee	
7	7	Agriculture, Cooperatives and Natural Resources Committee	
8	8	Women and Social Committee	
9	9	State Affairs and Good Governance Committee	
10	10	Development and Technology Committee	
National Assembly			
11	1	Sustainable Development and Good Governance Committee	
12	2	Legislative Management Committee	
13	3	Delegated Management and Government Assurance Committee	
Joint Committee			
14	1	Implementation Committee of Directive Principles, Policies and Responsibilities of the State	
15	2	Monitoring and Evaluation Committee	

A Parliamentary Special Investigation Committee was formed on June 5, 2020 to investigate the Soti incident in Chaurjahari Municipality of Rukum West, where a number of Dalits had been killed in a clash. A nine-member special parliamentary committee was formed under the leadership of MP Devendra Poudel. Members of the committee were MPs Ekwal Miya, Durga Poudel, Parvati Kumari Bishunke, Prakash Rasaili, Bimala BK, Maheshwar Jung Gahatraj, Min Bahadur Bishwakarma and Ram Sahaya Prasad Yadav. The committee completed its investigation and submitted its report within the stipulated 30 days time. Six people, including Nawaraj BK, who had come from Jajarkot to pick up a 17-year-old “upper caste” girl for marriage from Soti village, were “killed” on

May 23, 2020. The victims claimed that the group of youth was beaten up by the villagers and thrown them in the Bheri River. Some of the youths who gone there with Nawaraj managed to save their lives by jumping in the river. The committee submitted its investigation report to the Speaker on July 14, 2020,¹⁶ and the report was forwarded to the government on July 23, 2020 for necessary action.

The Committee on Law, Justice and Human Rights of the House of Representatives objected the decision of the Government of Nepal on September 27, 2020¹⁷ not to provide free treatment to people infected by the corona virus. The Ministry of Health had made the decision public, saying that the cost of treatment should be borne by the patient and the family should manage the body of the per-

16. <https://deshsanchar.com/2020/10/20/429501/>

17. <https://www.bbc.com/nepali/news-54597721>

son who died in home isolation. The committee reminded the government of Article 35 of the Constitution that guarantees citizens free basic health care from the state, no one could be deprived of emergency health care and every citizen had equal access to health care.¹⁸

Parliamentary Committee on Industry, Commerce, Labour and Consumer Welfare directed the government to make arrangements for the payment of the remaining amount due to the sugarcane farmers within a week. The committee meeting also directed the Ministry of Labor, Employment and Social Security to submit a report to the committee within 15 days after monitoring and taking action on the non-receipt of wages by workers across the country.¹⁹

Contrary to the directives given by the State Affairs and Good Governance Committee of the House of Representatives, the Council of Ministers decided to promote Bishwaraj Pokhrel to the post of Additional Inspector General of Nepal Police. In the parliamentary system, the government implements the instructions given by the parliamentary committee. Committee chairperson Shashi Shrestha had instructed the government not fulfill the position that had been created in the police contrary to the federal structure provided by the Constitution.²⁰ The committee said, “Contrary to the federal structure provided by the Constitution, the provision in the ordinance to separate the three districts of the Kathmandu Valley from Bagmati Pradesh, and the post of Additional Inspector General of Police from the concerned ministry, is not included in the report and proposal of management survey.” The committee had instructed the Government of Nepal, the Ministry of Home Affairs and the Police

Headquarters not to implement the appointment to the position as the issue of creating it was against the Constitution, law, rules and procedures.²¹

Similarly, the Parliamentary Committee on Industry, Commerce, Labor and Consumer Welfare directed the government to send domestic workers for foreign employment only on seven different conditions. The first condition was putting in place a separate and concrete legal provisions regarding the services, conditions and facilities of domestic workers in the country that wanted to take domestic workers from Nepal.²² The second condition was that the labor agreement should ensure basic labor rights of the workers (wages, leave, social security, occupational safety and health, working hours, insurance, additional work facilities). Likewise, the third condition required setting up a strong and effective resolving problems faced by the workers, and the fourth was to ensure that those headed to work domestic workers were trained, could communicate in the language of the host country, and had acquired basic knowledge of traditions, culture and customs there.

As a fifth condition, the committee sought to ensure equal treatment for the same work between the workers of the host countries, and Nepali workers.²³ The sixth condition was the need for legal provisions to take action against the sponsor, employer or family member who committed physical, mental and/or sexual violence against the domestic worker. Another condition was the requirement to allow the domestic easy access to his/her family and embassy of Nepal in the country. In 2015, the then Committee on International Relations and Labor of the Parliament had directed the government

18. <https://deshsanchar.com/2020/10/20/429501/>

19. <https://www.onlinekhabar.com/2020/12/914160>

20. Samsadiya-samitiko-nirdesan-24-ghanta-nabitdai-awagya (baahrakhari.com)

21. <https://www.onlinekhabar.com/2020/12/914160>

22. <https://baahrakhari.com/feed-detail.php?nid=300767>

23. <https://baahrakhari.com/feed-detail.php?nid=300767>

to stop sending domestic workers for foreign employment until a concrete law was enacted.

Nepal has been sending domestic workers only to Jordan, which has an agreement for such workers. The parliamentary committee has instructed the government to amend its existing directive of seven years, and start sending domestic workers only after complying to the terms and conditions above.

A sub-committee set up by the Education and Health Committee of the House of Representatives to monitor government's work in COVID-19 control concluded that the government had performed weakly in terms of conducting PCR tests and managing food for PCR-positive patients. The sub-committee formed under MP Jeevan Ram Shrestha of the ruling party had suggested 17-points for improving upon the weaknesses. The committee said corona-infected people were forced to stay home due to delays in the implementation of the decision taken by the Council of Ministers to create an integrated isolation facility in Kathmandu Valley. The subcommittee found that the PCR reports were delayed, labs across the country lacked integrated coordination for immediate reporting, the government did not even provide the isolation facilities a menu of what to feed the infected, and quarantine facilities were provided with very little money for food. It added that the government had not provided risk allowance to doctors and health workers involved in the treatment of infected people and also pointed to the government's failures to manage skilled human resource in ICU and ventilator wards at the designated hospitals.

A virtual meeting of the State Affairs and Good Governance Committee on

August 30 directed the Ministry of Home Affairs to conduct PCR tests of all inmates at the prisons. Committee Chairperson Shashi Shrestha said that the committee had instructed the government to remain vigilant on the issue of serious humanitarian concerns at the times of crisis as the inmates were not allowed to go out.²⁴

The Women and Social Affairs Committee directed the government to control and manage the sales and distribution of acid, and to amend the penalties for perpetrators. Concluding that incidents of acid attack had not stopped, on August 3, the committee directed the government to regulate the sale and distribution of acid²⁵ and directed the Ministry of Home Affairs to make it mandatory to document the details of those who purchased acids. The committee also asked the government to immediately make amendments to the existing law to accommodate its recommendations.²⁶ The committee also directed the Office of the Council of Ministers, Ministry of Home Affairs, Ministry of Women and Children and Senior Citizens to provide legal assistance and psycho-social counseling to address the physical, mental and emotional trauma of victims of acid attacks. The committee had a discussion with the secretary of the National Women Commission, officials of the Ministry of Home Affairs, Ministry of Women, Children and Senior Citizens and the victims of the acid attack on July 4.

The parliamentary committee also drew the attention of the government to immediately start preparation to bring back the citizens who had been stranded in different areas, and had lost jobs due to COVID-19. A meeting of the Law, Justice and Human Rights Committee on May 5 instructed the government to start prepara-

24. www.inseconline.org

25. <http://inseconline.org/np/news/%e0%a4%8f%e0%a4%b8%e0%a4%bf%e0%a4%a1-%e0%a4%ac%e0%a4%bf%e0%a4%95%e0%a5%8d%e0%a4%b0%e0%a5%80-%e0%a4%b5%e0%a4%bf%e0%a4%a4%e0%a4%b0%e0%a4%a3%e0%a4%b2%e0%a4%be%e0%a4%88-%e0%a4%a8%e0%a4%bf%e0%a4%af>

26. www.inseconline.org

rations immediately for the same. It also drew the attention of the government to prepare for the rescue of the citizens who had gone to India for employment and were facing trouble returning home, and the need for preparing a long-term plan for supporting citizens living abroad.

Similarly, the committee also drew the attention of the Ministry of Health and Population to arrange COVID-19 treatment in private hospitals as well. But said private hospitals without enough facilities for COVID-19 treatment should not be compelled to do the same.

Parliamentary Hearing Committee

Parliamentary hearings are parts of the democratic process to make the executive accountable to the legislature by testing the competence, ability and sincerity of people proposed for appointment by the executive to positions of public importance. Article 292 (1) of the Constitution provides that parliamentary hearings shall be held in accordance with federal law before the appointment of the Chief Justice, judges of the Supreme Court, members of the Judicial Council, heads or office bearers of constitutional bodies and ambassadors to be appointed on the recommendation of the Constitutional Council. Clause (2) of the said article provides for the formation of a 15-member joint committee for the purpose of clause (1), consisting of members of both the chambers of the federal parliament.²⁷

Similarly, clause (3) of the same section, requires barring of members of the joint committee from appearing before the Supreme Court to advocate during their tenure as members of the federal parliament. The parliamentary hearing system that has been in practice in Nepal in the recent years has made a positive contributions to the protection and promotion of human rights. It is be-

lieved that the constitutional practice of presenting the persons concerned at the parliamentary hearings before appointment to constitutional bodies, including the National Human Rights Commission, will make the incumbents accountable to the people and will hesitate before committing human rights violators from their positions. In 2020 Mahendra Bahadur Pandey was appointed as the ambassador to People's Republic of China, and non-resident ambassador to the Democratic People's Republic of Korea and Mongolia. The hearing committee also approved the names of Yuvaraj Khatiwada as ambassador to the United States, Lokdarshan Regmi as ambassador to the United Kingdom, and Nirmal Kumar Bishwakarma as ambassador to South Africa.

MP Development Fund

The government continued with this infrastructure development partnership program at the local level despite protests against the free-hand to MPs to fund projects. The government allocated NRs. 6.60 billion for the program, that each elected MP can disburse (NRs. 40 million per MP). Just like the federal government, the provincial governments have also begun allocating money for state assembly members to spend. However, the Rs. 6.60 billion allocated for the program is not regulated by law. The main opposition party in parliament, the Nepali Congress, demanded that the government should close down the program.²⁸ However, it did not say that Nepali Congress MPs would not accept the money. There was a demand that the allocated budget should be spent on controlling the COVID-19 pandemic as development works were hampered due to the pandemic.²⁹ The allegations that the money of the Parliamentary Development Fund was misused, spent for the benefit

27. <https://hr.parliament.gov.np/np/#>

28. www.ekagja.com

29. <https://www.onlinekhabar.com/2020/04/854557>

of party cadres and had not contributed much to the livelihood of the people remained unaddressed.

Ordinances

Amid internal tensions within the ruling party, the government ended the parliamentary session on July 2, 2020 and issued several ordinances. The government withdrew its ordinance on the Constitutional Council on April 20, 2020, following widespread criticisms and protest after it had been issued. President Bidhya Devi Bhandari issued three ordinances on June 26, 2020. These included the Acid and Other Hazardous Chemicals (Regulation) Ordinance 2020, Criminal Offenses and Criminal Procedure Amendment Ordinance 2020, Nepal Police and State Police (Operation, Supervision and Coordination) (First Amendment) Ordinance 2020.³⁰

The Acid and Other Hazardous Chemicals (Regulation) Ordinance 2077 BS prepared to take strict action against those making such attacks. It was issued on September 28. The Ordinance requires official permission to sell and distribute acid. Similarly, the ordinance amended the Acts on Criminal Offenses and Criminal Procedure, to provide harsher punishment for acid attackers compared to the past. Now, acid attack on the face is punishable by up to 20 years in prison. Victims will also receive NRs. 1 million as compensation from the perpetrator's property. Likewise, sales and distribution of acid will now require official permission from the District Administration Office (DAO). After the ordinance was issued, Muskan Khatun, a victim of acid attack from Parsa district, said that the law brought by the government has raised

hopes that victims like her would get justice and that such heinous attacks would be controlled.³¹

After the dissolution of the parliament on December 20, 2020 the government reissued the ordinance on the Constitutional Council and appointed 45 people to the long-vacant positions at various Constitutional commissions. A writ has been filed at the Supreme Court challenging the legitimacy of the decision. There is a constitutional provision that requires parliamentary hearing to be held within 45 days of the appointments to the Constitutional bodies. In the absence of a parliament, no such hearing had been done at the time this report was prepared.

Some Notable Bills Passed by Provincial Legislatures

Article 175 of the Constitution of Nepal provides for a provincial legislature. As per the Constitution, the legislatures of provincial are unicameral, and are known as provincial assemblies. The Bagmati Province passed the Bills related to Appropriation, Finance, and Vehicle and Transport this year. Similarly, the Far-Western Province passed 16 Acts and 25 Bills. The Acts and Bills have been approved by the Far-Western Provincial head Sharmila Pant. The Lumbini Provincial Assembly, likewise, passed 58 bills in a period of three months. All the bills passed by the provincial assembly have been verified/ approved.

Conclusion

The work of parliament was not effective owing to different circumstantial factors and tensions within the ruling party. The issues raised in the parliament were neither given importance

30 <https://ekagaj.com/article/editorial/1568>

31. <http://inseconline.org/np/news/%e0%a4%a4%e0%a5%87%e0%a4%9c%e0%a4%be%e0%a4%ac-%e0%a4%a4%e0%a4%a5%e0%a4%be-%e0%a4%85%e0%a4%a8%e0%a5%8d%e0%a4%af-%e0%a4%98%e0%a4%be%e0%a4%a4%e0%a4%95-%e0%a4%b0%e0%a4%be%e0%a4%b8%e0%a4%be%e0%a4%af/>

they demanded nor were they addressed. Instead, the act avoiding parliamentary scrutiny and issuing ordinance was preferred by the government. A number of bills that had been under consideration for a long time still remained unresolved. There was no discussion in the parliament on the bill related to the National Human Rights Commission and the bill on the Media Council that had triggered widespread protests. Issues such as low turnout of MPs in the parliament, the Parliamentary Development Fund, and long-standing obstructions of sessions continued this year as well. The legitimacy of the directives and decisions made by the parliamentary committees was put into question as concerned bodies of government that neglected the directives. Parliamentary activities took place without a deputy speaker throughout the year.

The parliament that had been elected for a five-year term was dissolved in just three years on December 20, 2020. A video of a speech of the Chairman of the Constituent Assembly, Subash Chandra

Nemwang, stating that the age of the parliament was set at five years in the Constitution of Nepal so that the mistakes of the past were not repeated, had become public. A number of political parties and civil society said the dissolution of the parliament was equivalent to a constitutional coup. Supporters of the Prime Minister's move argued that the dissolution was the exercise of the prerogative of the chief executive. There was a difference of opinion in the opposition Nepali Congress as to whether or not to speak out on a matter that was under consideration at the Court. Although the issue of dissolution of parliament and fresh public mandate are common in parliamentary democracies, in Nepal people have been fed up with long-standing political instability that such moves have led to in the past. That was why, according to the former chair of the Constituent Assembly, the assembly had made adequate provisions to ensure that the parliament remained intact throughout its five-year term.

