Reset of India's Relation with Nepal from Pre-Independence to Post Independence

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ABSTRACT

Nepal and India enjoy excellent bilateral ties. Founded on the age-old connection of history, culture, tradition and religion, these relations are close, comprehensive and multidimensional and are pronounced more in political, social, cultural, religious and economic engagements with each other. To add up the formal flavor to such historic relations, the two countries established diplomatic relations on 17 June 1947. The unwavering commitment to the principles of peaceful coexistence, sovereign equality, and understanding of each other's aspirations and sensitivities has been the firm foundation on which our bilateral relations have been growing further.

Nepal's solemn desire to cultivate and foster the cordial and friendly ties with its neighboring countries are reflected in its long standing position of not allowing its territory to be misused by any elements inimical to India and also expects same sort of reciprocity and assurances from her. The open border between the two countries remains a unique feature of our relations. Frontier without restriction has greatly facilitated the free movements of our people to each other's territory and enhanced interactions.

KEYWORDS: Bilateral, Economic Ties, Cultural policy, Foreign Relations

from Pre-Independence to Post Independence" Published in International Journal of Trend in Scientific Research and Development (ijtsrd), ISSN: 2456-6470,

How to cite this paper: Ekta Sehra "Reset of India's Relation with Nepal

December 2021, pp.854-860, URL: www.ijtsrd.com/papers/ijtsrd47941.pdf

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Volume-6 | Issue-1,



IJTSRD47941

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1. Introduction to Nepal- Indian Relations:

India and Nepal are neighbor countries that share friendly and cooperative relations with each other cherished by open borders. Nepal shares its border with five Indian states – Sikkim, West Bengal, Bihar, Uttar Pradesh, and Uttarakhand¹. Both the countries have similar cultures and beliefs that even strengthen their close bond. The India-Nepal Treaty of Peace and Friendship of 1950 serves as the backbone to such cooperative relations that allows citizens of both countries to freely move between countries and provides fair opportunities in residence, property, and business.² Although both the countries have been in peace with each other yet there is some border dispute that has been highlighted in recent times.

² "About India-Nepal Relations - Embassy of India, Kathmandu, Nepal." https://www.indembkathmandu.gov.in/page/about-india-nepal-relations/. Accessed 1 Mar. 2021.

Political Relations

Nepal-India relations are, in essence, much more than the sum of treaties and agreements concluded between the two countries. The frequent high level visits by the leaders of the two countries at different points of time and the interactions constitute the hallmark of the ties between the two countries. Furthermore, such visits have helped promote goodwill, trust, understanding and cooperation between the two countries and, have injected fresh momentum to further consolidate age-old and multifaceted bilateral relations of friendship and cooperation on a more mature and pragmatic footing.

Exchange of Visits From Nepal:

- At the cordial invitation of the then President of India Shri Pranab Mukherjee, The Rt. Hon'ble Bidya Devi Bhandari, President of Nepal paid a State Visit to India in April 2017.
- Ram Baran Yadav, as the first President of Nepal, paid a State visit to India in February 2010 at the invitation of Ms. Pratibha Devisingh Patil, the then President of India.

¹ "India-Nepal Relations With an area of 147,181 sq. km and a" https://mea.gov.in/Portal/ForeignRelation/Nepal_May_201 4.pdf. Accessed 1 Mar. 2021.

- At the invitation of His Excellency Shri Narendra Modi, Prime Minister of India, The Rt. Hon'ble K P Sharma Oli, Prime Minister of Nepal, paid a State Visit to India on 6-8 April 2018. Earlier also, he had paid a State Visit to India in February 2016.
- At the invitation of the Prime Minister of India, His Excellency Shri Narendra Modi, the then Prime Minister of Nepal Mr. Sher Bahadur Deuba paid a State Visit to India in August 2017.
- The then Prime Minister of Nepal, Mr Pushpa Kamal Dahal 'Prachanda' paid a State Visit to India in September 2016 and also visited India in October 2016 to participate in the BRICS-BIMSTEC Outreach Summit in Goa, India.
- ➤ The then Prime Minister of Nepal Mr. Sushil Koirala visited India to attend the swearing-in ceremony of the Prime Minister elect Shri Narendra Modi in May 2014.
- ➤ The then Deputy Prime Minister and Minister for Foreign Affairs Mr. Krishna Bahadur Mahara visited India in July 2017 at the invitation of Her Excellency Smt Sushma Swaraj, Minister of External Affairs of India.
- Then Minister for Foreign Affairs Dr. Prakash Sharan Mahat visited India in October 2016 leading a Nepali delegation to participate in the 4th meeting of Nepal-India Joint Commission
- ➤ Then Minister for Foreign Affairs Dr. Prakash 245 Sharan Mahat visited India in September 2016.
- ➤ The then Deputy Prime Minister and Minister for Foreign Affairs Mr. Kamal Thapa visited India in November 2015.

From India:

- The then President of India Shri Pranab Mukherjee paid a State Visit to Nepal in November 2016.
- ➤ At the invitation of the Prime Minister of Nepal, The Rt. Hon'ble K P Sharma Oli, the Prime Minister of India His Excellency Shri Narendra Modi paid a State Visit to Nepal from 11 to 12 May 2018.
- At the invitation of then Prime Minister Mr. Sushil Koirala, the Prime Minister of India His Excellency Shri Narendra Modi paid an official visit to Nepal in August 2014.
- ➤ His Excellency Prime Minister Modi also visited Nepal in November 2014 to participate in the 18thSAARC Summit.

- ➤ At the invitation of the then Foreign Minister Mr. Mahendra Bahadur Pandey, the External Affairs Minister of India Smt Sushma Swaraj paid an official visit to Nepal in July 2014 to participate in the third meeting of the Nepal-India Joint Commission.
- ➤ Her Excellency Smt Swaraj visited Nepal in June 2015 to participate in the International Conference on Nepal's Reconstruction and in August 2017 to participate in the 15thBIMSTEC Ministerial Meeting.

The recent exchange of State Visits by the Prime Ministers of Nepal and India in April and May 2018 has contributed to taking the bilateral relations to newer heights on the basis of equality, mutual trust, respect and benefit. Apart from taking effective measures for the implementation of all the agreements and understandings reached in the past, the need for reinvigorating the existing bilateral mechanisms to promote cooperative agenda across diverse spheres has been underscored. Both sides have agreed to advance new partnership in agriculture, expand rail linkages connecting Kathmandu to Raxaul with India's financial support, and develop inland waterways for the movement of cargo providing additional access to sea for Nepal. It has also been agreed to address outstanding matters in a stipulated timeframe, with the objective of advancing cooperation in all areas.

2. A Glance at Nepal

Nepal is a democratic sovereign country in South Asia. It is the 93rd largest country in terms of area and the 49th largest country in terms of population in the world. Kathmandu is the capital and the largest city in Nepal. Nepal is well known as "Roof of the World". It is located between two large countries, namely India and China within the Himalayan Mountain range. It is one of those countries that was not colonized but was influenced and invaded by the Britishers. The Nepal-Britain Treaty of 1923 declared Nepal as an independent state way back before the Independence of India in 1947.³ It serves as a reason why Nepal is not a part of India even when they share a similar culture, religious beliefs, and friendly relations.

2.1. Physical Geography and Population

Nepal is located at the start of the Himalayan Mountains, the tallest mountain range in the world. Eight out of ten tallest mountains are found in this

³ "Why did the British not colonize Nepal? - The Record Nepal." 1 Oct. 2017, https://www.recordnepal.com/wire/features/why-did-the-british-not-colonize-nepal/. Accessed 1 Mar. 2021.

country. It is subject to occasional earthquakes due to tectonic plates. The longest river in the state is Ghaghra, and the largest lake is Rara.

Nepal accommodates about 30 million population and is the 49th largest country in terms of population in the world. Nepal has over 120 ethnolinguistic people. The official language of Nepal is Nepali that is spoken by 45% of the population. The majority of the population associates with Hinduism, and approx 10% with Buddism.⁴

Approximately 65% of its population is engaged in agriculture. Its largest exports are in textiles, carpets, and clothing.

3. Nepal's Transition from Monarchy to Democracy:

Nepal has remained under the monarchy for more than two hundred years. People have made numerous attempts to establish democracy in the state but failed miserably. Historically, Prithvi Narayan Shah is well known for the unification of Nepal in the later eighteenth century. Notably, Nepal has signed the Treaty of Sagauli in 1816 and the Nepal-Britain Treaty in 1923. People started to demand democracy during the 1950s because they were dissatisfied with the Ranas of Nepal. It also gave birth to political parties like Nepal Congress and PrajaParishiad and revolutionaries like BP Koirala and Ganesh Man Singh. During the 1960s, Mahendra established a constitution that permitted a partyless system and a Panchayat system of government in Nepal. However, people again started to protest, demanding democracy in the country. Even Nepal witnessed Maoist movements(Communist Party of Nepal). Then, King Birendra established Constitutional Monarchy in the 1990s. He remained king till his death in the Nepalese royal massacre in 2001. Then his sibling Gyanendra took his place. He was against democracy, so he dismissed the Prime Minister and dissolved Parliament in 2005. All of these incidents urged people for a movement to restore democracy in the state. It gave birth to Seven Party Alliance. Even Maoist insurgents and other organizations came together with the clear aim to restore democracy. On 21 April, they gave the ultimatum to the king which the king was forced to accept on 24 April 2006. Then, SPA chose Girija Prasad Koirala as their new Prime Minister of an interim government, restored the Parliament, and elected the Constituent Assembly. On 28 May 2008, Nepal turned into a Republic state.

⁴ "Culture and Language of Nepal - Discover with Nepal Mountain Hub" https://www.nepalmountainhub.com/culture-and-language.html. Accessed 1 Mar. 2021.

Nepal has witnessed a lot of political instability that has hindered its development and growth.

4. Form of government in Nepal

According to the Present Nepalese Constitution, the official name of Nepal is the Federal Democratic Republic of Nepal. Nepal has become the Federal Democratic Republic of Nepal on 20th September 2015. There are three levels of government, namely central, state, and local government.

- ➤ Central Government has the power and authority to control the whole country. The Prime Minister is the head of the central government.
- The state government has the power over that state. There are seven states or provinces in Nepal. The Chief Minister is the head of that state government.
- ➤ The local government has the authority to control the particular village council or municipality, or regional areas. There are 753 local units.

Nepal has a federal parliamentary form of government. The President acts as the head of the state and is the chief of armed forces, while the Prime Minister is the head of the central government. The elected members vote for the PM amongst themselves, and he needs a two-thirds majority.

It follows a bicameral legislature at the central level. It consists National Assembly and House of representatives as the upper house and lower house, respectively.

- 1. The National Assembly: It is the upper house that consists of 59 members. Among 59 members 56 members are elected from seven provinces while three members are nominated by the President. The tenure for the house is six years, where one-third of members relived every two years.
- 2. House of Representatives: It is the lower house. It consists of 275 members- one from each constituency (165) and 110 via proportional representation. The tenure of the house is five years unless dissolved.

However, at the state level, it follows a unicameral legislature.

5. Relation of Nepal and India Pre Independence Historically India and Nepal have been closely associated due to their culture, religion, and ancestors. Even Hinduism and Buddhism find their root in both countries. Sanskrit also serves as the originator of most spoken languages in India and Nepal (Hindi and Nepali). Before 1947, India was under the colonial

rule of the Britishers but Nepal was never colonized by any foreign power. Although Nepal was never colonized, indeed it was affected and influenced by the Britishers.

- Sagauli on 2 December 1815 and ratified it by 4 March 1816. The treaty was to end the two-year war Anglo-Nepalese (Gurkha) War (1814–16). The most significant feature of the treaty was that it demarcated the borders of Nepal from the Mechi River to the Mahakali River. Although Nepal remained independent, the treaty made Nepal accept a British resident, and lead Nepal to lose its one-third territory. This treaty was more inclined to Britishers as it facilitated trade in Central Asia, and even numerous Gorkha joined British Indian Army.
- Notably, Nepal has assisted the Britishers during various instances like the Second Sikh War (1848-49), suppressing the revolt of 1857, World War I (1914-18), and World War II (1939-45).
- Nepal and Britishers signed an agreement known as **The Nepal-Britain Treaty of 1923** that formally acknowledge Nepal as an independent country. It was even recorded by the League of Nations in 1925.

Overall it can be concluded that British India and Nepal shared a peaceful relation that sown the seeds of present India- Nepal relations.

6. Relation of Nepal and India Post Independence

After India got its independence in 1947, it followed its policy of Neighborhood first and tried to establish friendly relations with neighboring countries. Article 51 of the Indian Constitution provides for friendly relations with other countries. Following same India signed a treaty with Nepal on 31 July 1950 known as the Treaty of Peace and Friendship. It forms the bedrock of the friendly and cooperative relations of both countries. The main aim of the treaty is to strengthen bilateral relations and develop and perpetuate peace between India and Nepal. Under this treaty governments of both, countries mutually agreed to acknowledge and respect the sovereignty, integrity, and independence of each other. It also provides that the government of both countries will inform each other about any misunderstanding that may hinder the peaceful relations between the countries. The Treaty provides similar privileges to the nationals of one

country by the other in the matter of residence, ownership of property, participation in trade and commerce, movement, and other privileges of a similar nature.⁶

India and Nepal also signed the **Treaty of Trade and Commerce** on 31 July 1950. The purpose behind this treaty was to facilitate trade and commerce between the countries. It streamlines customs and duties regulations between India and Nepal. ⁷

Apart from these significant treaties, the special bond between these countries can be seen in their defense cooperation, energy, and water cooperation, Connectivity and Development Partnership, and High-level exchanges.

6.1. Defense Cooperation:

India has been extended its assistance to the Nepal Army in its modernization by supplying equipment and providing training. The notable aspect in defense cooperation between these countries is assistance during disasters, bilateral visits, and joint military exercises. The Gorkha regiments of the Indian Army associate with hill districts of Nepal in its recruitment. Approximately 32,000 Gorkha Soldiers from Nepal are serving in the Indian Army.⁸

6.2. High-Level Exchanges:

In International relations, it acquires great importance whenever a high dignitary official of a state visits another state. It signifies the subsisting relations between the states. There have been regular visits by higher officials between India and Nepal. The Prime Minister of India, Narendra Modi has visited Nepal four times since 2014. He even attended the 4th BIMSTEC Summit in Kathmandu. Both nations have several bilateral institutional dialogue mechanisms.

6.3. Assistance in 2015

India extended its assistance to Nepal when it was hit by an earthquake on 25 April 2015. India has assisted by dispatching National Disaster Response Force (NDRF) teams and special aircraft with rescue and relief materials to Nepal within six hours of the earthquake. It also included rescue equipment,

⁵ "Treaty of Sagauli | British-Nepalese history [1816] | Britannica." 25 Feb. 2021, https://www.britannica.com/event/Treaty-of-Sagauli. Accessed 1 Mar. 2021.

⁶ "Treaty of Peace and Friendship - Ministry of External Affairs." https://mea.gov.in/bilateral-documents.htm?dtl/6295/Treaty+of+Peace+and+Friendship. Accessed 1 Mar. 2021.

⁷ "Treaty of Trade and Commerce - Ministry of External Affairs." https://mea.gov.in/bilateral-documents.htm?dtl/6291/Treaty+of+Trade+and+Commerc e. Accessed 1 Mar. 2021.

^{8 &}quot;About India-Nepal Relations - Embassy of India, Kathmandu, Nepal." https://www.indembkathmandu.gov.in/page/about-india-nepal-relations/. Accessed 1 Mar. 2021.

medical supplies, food, water, tents, blankets, and tarpaulin. India also announced a post-earthquake reconstruction package of US dollar 1 billion. ⁹

6.4. Connectivity and Development Partnership India has been assisting Nepal with various projects in the areas of infrastructure, health, water resources, education, and rural & community development. India has been assisting Nepal in the development of border infrastructure.

India and Nepal have entered into the India-Nepal New Partnership in Agriculture in the areas of research, development, and education.

6.5. Water Resource Cooperation

Both the countries cooperate even in water resources. Several rivers flow from Nepal to India that are an important source of irrigation and power for both counties.

6.6. Energy Cooperation

The Power Exchange Agreement since 1971 has been helping in meeting the power requirements in the border areas of the two countries. India and Nepal entered into an agreement on the 'Electric Power Trade, Cross-border Transmission Interconnection and Grid Connectivity 21 October 2014 to facilitate and strengthening cross-border electricity transmission, grid connectivity, and power trade. ¹⁰

6.7. Economic relations

India is the largest trading partner of Nepal. Nepal majorly imports petroleum products, motor vehicles, spare parts, agricultural products, cement, etc. Indian firms being the largest investors in Nepal, accounting for more than 30% of the total approved foreign direct investments.

India has been a key development partner of Nepal. The latter received strong support and solidarity from the people and Government of India in advancing its home-grown peace process as well as in the process of writing the Constitution through the elected Constituent Assembly. Following the massive earthquakes in Nepal in April and May 2015, India promptly offered helping hands. The Government of India has also been substantially supporting Nepal's reconstruction efforts.

⁹ "About India-Nepal Relations - Embassy of India, Kathmandu, Nepal." https://www.indembkathmandu.gov.in/page/about-india-

nepal-relations/. Accessed 1 Mar. 2021.

The Indian cooperation started in 1952 with the construction of an air-strip at Gaucharan. Since then, India has been assisting primarily in the areas of infrastructure development and capacity development of human resources in Nepal. Such assistance received from India has helped supplement the developmental efforts of Nepal. India's economic assistance to Nepal has grown manifold in the past few decades, particularly since the restoration of multiparty democracy in Nepal in 1990.

As agreed during the State Visit to India of then Prime Minister of Nepal Mr. Pushpa Kamal Dahal 'Prachanda' in September 2016, a Nepal-India Joint Oversight Mechanism has been constituted co-chaired by the Foreign Secretary of Nepal and the Indian Ambassador to Nepal to review the progress made and resolve issues in the implementation of the projects under India's economic and development cooperation. The Mechanism meets once every two months.

Large and Intermediate Projects undertaken with India's economic assistance

B.P. Koirala Institute of Health Sciences, Dharan; Emergency and Trauma Centre at Bir Hospital, Kathmandu; and Manmohan Memorial Polytechnic at Biratnagar are some of the flagship projects completed and operationalized under the Indian assistance.

Integrated check-posts have been proposed at four points on Indo-Nepal border namely (i) Raxaul-Birganj, (completed and operationlised from April 2018) (ii) Sunauli-Bhairahawa, (iii) Jogbani-Biratnagar and (iv) Nepalganj Road-Nepalgunj. The construction of ICP in Biratnagar is ongoing, while procedures are underway for Bhairahawa and Nepalgunj. Likewise, as envisaged by the MoU for the construction of Terai roads under phase I, the process of implementation has started.

A MoU on Development of Railway Infrastructure at five points along the Nepal-India border was signed in 2010. The construction process has been ongoing for Jayanagar-Janakpur-Bardibas-Bijalpura and Jogbani-Biratnagr sectors. For the remaining three links, both sides have started preliminary works. Likewise, MoU on the establishment of Nepal Bharat Maitri Polytechnic at Hetauda in Makawanpur District of Nepal was signed on 16 February 2010 in New Delhi. The project is being implemented.

In the International Conference on Nepal's Reconstruction held in Kathmandu in June 2015, the Government of India pledged a fund of US\$ 250 million grant and US\$750 million soft loan. Agreements have already been signed for both grant

¹⁰ "About India-Nepal Relations - Embassy of India, Kathmandu, Nepal." https://www.indembkathmandu.gov.in/page/about-india-nepal-relations/. Accessed 1 Mar. 2021.

and loan. List of projects have been identified for the utilization of the grant while projects are being finalized for the use of Line of Credit. In addition to two past lines of credit (US\$ 100 million and US\$ 250 million), His Excellency Prime Minister of India Shri Modi announced during his visit to Nepal in August 2014 another line of credit of US\$ 1 billion to be utilized to finance development projects chosen by Nepal. The Government of Nepal finalized the projects. The modality of contracting these projects is being worked out.

6.8. Cultural Relations:

Both the countries being Hindu majority nations share a close relationship with each other in the cultural and religious aspects. For instance, Nepal is the birthplace of Gautam Buddha, and India is the place where Buddism was born.

7. India-Nepal Relations in 21st Century

India and Nepal have been sharing friendly and peaceful cooperation for years. However, these are some highlighted issues between the countries.

7.1. Growing Nepal-China Relations

Nepal act as a Buffer state between two larger countries (India and China). China has been trying to influence and increase its presence in Nepal. In recent years China has invested in the Araniko Highway in order to promote trade between countries. China has pledged hundreds of millions of dollars to Nepal for developing infrastructure and even military aid. China's interference and growing presence seem to affect the relations between India and Nepal. ¹¹

7.2. Madheshi Crisis

In 2015, Madheshi, an indigenous community of Nepal, opposed and protested against the newly made Constitution. The economic blockade along India's border with Nepal has caused acute shortages and high inflation. Nepalese believed that Madheshi got the support of India for such an economic blockade. It has triggered the relations between India and Nepal. However, after this, the Prime Minister of Nepal visited India post-earthquake and signed agreements that seems to normalize the situation.

7.3. Border Dispute

India and Nepal have been sharing friendly and peaceful cooperation for years. However, some

"History of India-Nepal Relations — South Asia Program at Hudson" http://www.southasiaathudson.org/history. Accessed 1 Mar. 2021. border dispute has arisen in recent times that were in news. It all started when India launched a new map in November 2019 that included the area of the Kalapani Region that triggered the Nepal government. Another incident that added fuel to fire was when the Indian Defense Minister inaugurated a new road on 8th May 2020 that includes the disputed areas as well. Nepal even witnessed protests against this. On 20 May 2020, Nepal launched a new map that included the areas of Lipulekh, Kalapani, and Limpiyadhura in May 2020 that is currently under the control of India. The new map was a response to the construction of a road to Mansarovar by India without any consultation and consent from Nepal. India claimed that the area belongs to India and falls within the territory of India only.¹³ The Border dispute is seems to tense the relations of both countries.

8. SAARC over India-Nepal Border Dispute

SAARC stands for South Asian Association for Regional Cooperation that laid its foundation in 1985. Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka are its founding members, whereas Afghanistan became a member of SAARC in 2005. The headquarter of SAARC is in Kathmandu, Nepal.

SAARC shows significant cooperation between South Asian countries that helps in accelerating economic growth, promote welfare, promotes mutual trust among countries and cooperation. Previously, SAARC has urged India-Pakistan to exercise restrain after the Pulwama attack. However, the SAARC Charter puts restrictions on the discussion over bilateral issues. ¹⁴ As both Nepal and India are a significant part of SAARC, the border dispute can create trouble in the said cooperation. The Dispute can hinder the cooperation and between India and Nepal that is against the primary objectives of SAARC. Although, SAARC has not taken its stand over this issue yet

9. Conclusion

In International Relations, maintaining peaceful relations with other countries holds great importance. India and Nepal have been sharing very friendly and

^{12 &}quot;Who are the Madhesis, why are they angry? | Explained News, The" 5 Oct. 2015, https://indianexpress.com/article/explained/who-are-the-madhesis-why-are-they-angry/. Accessed 1 Mar. 2021.

 ^{13 &}quot;India, Nepal and the lives on the ground | The Indian Express."
26 Jan.
2021, https://indianexpress.com/article/opinion/india-nepal-borders-tribals-7162681/. Accessed 1 Mar. 2021.
14 "Regional cooperation is adversely affected due to cross border"
31 Jan.
2020, https://m.economictimes.com/news/defence/regional-cooperation-is-adversely-affected-due-to-cross-border-terrorism-mea-on-saarc/articleshow/73792371.cms.
Accessed 4 Mar. 2021.

cooperative relations. However, some issues have been highlighted showing the changing relations between the countries. Even the growing influence of China in the world is also a matter that every country

needs to understand. In this global scenario, both countries need to focus and maintain their changing relationship with each other.

