

## India-Nepal Row over the Updated Map of India

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### Summary

*Nepal is unhappy that Kalapani, the Lipulekh pass and Limpiyadhura are being shown in the updated map of India as Indian territories while India defends its demarcations as “accurate”. The roots of the present row lie in the history of the region. Both India and Nepal have historical documents supporting their claims over the Kalapani area. This paper looks at the history of India-Nepal border issues and examines the present row over the updated map of India.*

### Introduction

On 2 November 2019, India’s Ministry of Home Affairs published an updated map of India depicting the physical and political status of the two recently created Union Territories<sup>1</sup> – Jammu and Kashmir, and Ladakh. This map shows Pakistan-administered Jammu and Kashmir (Pakistan calls it Azad Jammu and Kashmir while India terms it Pakistan Occupied Jammu & Kashmir) as a part of the Union Territory of Jammu and Kashmir, while Gilgit-Baltistan, which India calls an occupied area, is placed under the Union territory of Ladakh.

The map also shows Kalapani in Pithoragarh as a district of the Indian state of Uttarakhand, which shares 80.5 kilometres of porous border with Nepal and a 344 kilometres of border with China.<sup>2</sup> Nepal is upset over this as it sees Kalapani is a part of its Darchula district in the Sudurpaschim province.

To support their claims over Kalapani, both India and Nepal have historical documents. According to Buddhi Narayan Shreshta, former Director-General of the Department of Survey of Nepal, maps drawn in 1821, 1830, 1835, 1841, 1846 and 1856 place Kalapani in Nepal.<sup>3</sup> On the other hand, to back its own claim, India presents administrative and tax records dating back to the 1830s. Also, the maps sketched in 1850, 1856, 1879 and 1905 by the survey department of British India show Kalapani as an Indian territory.<sup>4</sup>

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<sup>1</sup> A Union Territory is ruled by the Union government of India (UT). After the revocation of article 370 in August 2019, the erstwhile State of Jammu & Kashmir was bifurcated into two UTs – Jammu and Kashmir, and Ladakh.

<sup>2</sup> Anupam Trivedi, ‘Why Kalapani is crucial and the Chinese threat should not be taken lightly’. *Hindustan Times*, 9 August 2019. <https://www.hindustantimes.com/india-news/chinese-threat-of-entering-uttarakhand-s-kalapani-area-should-not-be-taken-lightly-experts/story-DVwye0tu5pRkDpcjSFkAuK.html>. Accessed on 8 November 2019.

<sup>3</sup> Avtar Singh Bhasin, *Nepal-India, Nepal China Relations: Documents 1947-June 2005 Volume 1*. (New Delhi: Geetika Publications, 2005) p. 1058.

<sup>4</sup> Arun Budhathoki, ‘India’s Updated Political Map Sparks Controversy in Nepal’, *The Diplomat*, 11 November 2019. <https://thediplomat.com/2019/11/indias-updated-political-map-sparks-controversy-in-nepal/>. Accessed on 11 November 2019.

## History of India-Nepal Border Tensions

India and Nepal share an approximately a 1,800-kilometre long open border across which thousands of people from both sides cross every day. Although the word “disputes” is being used by many, technically, India and Nepal have “differences” and not “disputes” over the delineation of the border at Kalapani and Susta in Nawalparsai district of Nepal. The root of all such differences lies in the treaty of Sugauli in 1816, which ended the Anglo-Nepalese War (1814-16). It demarcated the border between the British East India Company (EIC) and the Nepalese kingdom. The terms and provisions of Sugauli treaty were drafted by the EIC and presented to the Nepalese King, Girwan Juddha Bikram Shah, who signed it on 2 December 1815. However, the treaty was ratified on 4 March 1816.

Under the provisions of Article 3 of the Sugauli Treaty, Nepal lost Sikkim, Kumaon, Garhwal and Western *Terai* (Flat) area. River Mechi became the new eastern border with India while the river Kali (called Mahakali in Nepal) was demarcated as the new north-western border.<sup>5</sup> The Sugauli Treaty left many questions unanswered. Over time, these questions have become sources of contention between India and Nepal. One such issue is the fact that the place of origin of the river Kali was demarcated as the point between India and Nepal. This is being contested by both countries. Nepal claims that the river originates from Parbatikund in Limpiyadhura while for India, it has its origin in east of Limpiyadhura in Kalapani.<sup>6</sup> The EIC’s maps of 1827 and 1856 substantiate Nepal’s claims, showing Limpiyadhura as the source of the Kali.<sup>7</sup>

In 1860, another treaty was signed between British India and Nepal to re-adjust some of their border regions that had remained unresolved after the Sugauli Treaty. Under Article 2 of the 1860 treaty, sovereignty was bestowed upon the king of Nepal on the lowlands between the rivers Mahakali and Raptree and over the lowlands lying between the Raptree and Gorakhpur (now a district in the Indian state of Uttar Pradesh), which were in the possession of Nepal but were ceded to the EIC under the provisions of the Sugauli treaty.<sup>8</sup> The 1860 treaty also resolved the border differences between Oudh (in then-British India) and Nepal.

During the First World War, Nepal helped the British war effort. In that war, around 200,000 Nepalese men were recruited to fight to secure the British colonies. Of those, the Gorkha or Gurkha regiments suffered over 20,000 casualties.<sup>9</sup> After the war, in 1923, the Nepalese king and British India signed a new treaty. The new treaty nullified all their previous treaties. However, since the 1923 treaty has nothing concrete to say about border demarcation, they remained as agreed in the treaties of 1816 and 1860.

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<sup>5</sup> ‘Sugauli Treaty of 1816’: Full Text <http://nepaldevelopment.pbworks.com/w/page/34197552/Sughauli%20Treaty%20of%201815%3A%20Full%20Text#MemorandumfortheapprovalandacceptanceoftheRajaofNipal>. Accessed on 9 November 2019.

<sup>6</sup> Gaurab Shumsher Thapa, ‘Nepal and India must talk and resolve the Kalapani issue amicably’, *South Asia Monitor*, 20 November 2019. <https://southasiamonitor.org/news/nepal-and-india-must-talk-and-resolve-the-kalapani-issue-amicably/sl/31231>. Accessed on 22 November 2019.

<sup>7</sup> Ibid.

<sup>8</sup> ‘Sugauli Treaty of 1816: Full Text’, op cit.

<sup>9</sup> David Seddon, ‘Lest we forget’, *Nepal Times*, 9 November 2018, <https://www.nepalitimes.com/banner/lest-we-forget/>. Accessed on 11 November 2019.

In 1947, the British left the sub-continent and India became an independent country. In 1950, India and Nepal signed the Treaty of Peace and Friendship. Under the terms of this treaty, India and Nepal agreed on issues such as granting reciprocal rights to citizens in each other's territories and Nepal's right to import arms from or through India. Article 8 of the India-Nepal friendship treaty cancels all previous treaties and agreements on the issues mentioned in it between British India and Nepal.<sup>10</sup> While the treaty was hailed in India as an important step in developing closer relations between the two countries, a section of the Nepalese population had objections and demanded that Nepal must revisit or annul it. Even today, this treaty attracts heated political debates and divides public opinion in Nepal. The main reason for opposing the treaty is the perception that provisions of this treaty restrict Nepal's sovereignty and give ample rights to India to interfere in its matters. In fact, in the 1950s, some Nepalese leaders objected to a statement by the first Prime Minister of India, Pandit Jawaharlal Nehru, where he used the term "special relationship" to define India's relations with Nepal. They feared that India may interfere in their sovereign affairs under the guise of a "special relationship". Similarly, sections in Nepal objected when the Indian Minister of State for External Affairs, Dinesh Singh, visited Kathmandu in June 1969 and emphasised the "special relation" between the two countries.

Sensing the Nepalese indignation over the term, the Chinese news agency, *Hsinhua*, in its 28 June 1969 issue described this "special relationship" as a part of India's expansionist policy.<sup>11</sup> Subsequently, protests were held against the presence of Indian check posts with armed guards on the northern border of Nepal. According to Nepalese sources, the Indian guards had been there since 1952. They were manning 18 check posts.<sup>12</sup> There is other historical evidence that shows that India entered into that area only after the India-China war of 1962. India was granted permission by the then-Nepalese government to set up check posts to guard its border.<sup>13</sup>

In July 1969, the *National Panchayat* (parliament) of Nepal approved a private member's resolution asking the then-government to make arrangements for the withdrawal of the Indian border personnel from the northern border check posts.<sup>14</sup> Earlier, on the question of India's border issues with Nepal, Dinesh Singh said, "there is no border dispute between India and Nepal. But according to the established procedure, the district authorities of both countries are authorised to establish direct contacts to reconstruct border pillars and repair them, and matters relating to ground markers on the boundary are settled in accordance with the accepted maps of both countries."<sup>15</sup>

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<sup>10</sup> Ministry of External Affairs, Government of India, 'Treaty of Peace and Friendship between the government of India and the government of Nepal', 1950, [https://mea.gov.in/bilateral-documents.htm?dtl/6295/Treaty\\_of\\_Peace\\_and\\_Friendship](https://mea.gov.in/bilateral-documents.htm?dtl/6295/Treaty_of_Peace_and_Friendship). Accessed on 17 November 2019.

<sup>11</sup> Avtar Singh Bhasin, *Nepal-India, Nepal-China Relations: Documents 1947-June 2005*, op cit, p. 523.

<sup>12</sup> Sam Cown, 'The Indian checkposts, Lipu Lekh, and Kalapani' *The Record*, 14 December 2015. <https://www.recordnepal.com/wire/indian-checkposts-lipu-lekh-and-kalapani/>. Accessed on 14 November 2019.

<sup>13</sup> Alok Kumar Gupta, 'Kalapani: A Bone of Contention between India and Nepal', 17 October 2000, *Institute of Peace and Conflict Studies*, <http://www.ipcs.org/commselect.php?articleNo=422>. Accessed on 12 November 2019.

<sup>14</sup> Avtar Singh Bhasin, *Nepal-India, Nepal- China Relations: Documents 1947-June 2005*, op. cit, p. 546.

<sup>15</sup> *Ibid*, p. 520.

As the protests mounted, India conceded to the demands made by the then-Prime Minister of Nepal, Kirti Nidhi Bisht, to withdraw its wireless operators from the check posts on the northern border and the Indian military mission from Kathmandu.<sup>16</sup> India withdrew its check posts from many areas except parts of Kalapani. From 1956 to 1979, those check posts were guarded by personnel from a special police force established by the government of the Indian state of Uttar Pradesh. Since 1979, the area is guarded by the Indian para-military force, the Indo-Tibetan Border Police.<sup>17</sup>

As border related tensions escalated, in December 1980, India and Nepal agreed to set up a technical level Joint Nepal-India Boundary Committee. This committee oversees and coordinates the work related to verification and restoration of missing and damaged pillars and clearance of encroachments along the Indo-Nepal border.<sup>18</sup> A few months later, in 1981, Nepal called for a scientific delineation of the India-Nepal border. In response, then-External Affairs Minister of India, P V Narasimha Rao, said that:

“both sides recognize that there is no dispute between the two countries about boundary ... even if there is no dispute in regard to the boundary, there could be certain pillars destroyed, or we may have to replace the pillars, or we may have to remove encroachments, etc...There is no question of delineation. We are absolutely clear on that.”<sup>19</sup>

In 1996, India and Nepal signed the Mahakali Treaty. After the treaty was signed, the Kalapani issue re-surfaced and the Nepalese establishment raised it with India under the pressure of then on-going people’s movement. The people’s movement was mainly led by the Maoist and Communist parties of the country. Four years after the signing of the Mahakali Treaty, on 19 April 2000, the India-Nepal border issue was raised by the Nepalese Parliamentary Committee Foreign Affairs and Human Rights. In that meeting, committee members accused India of encroachment on Nepalese land at Kalapani, Susta, Tilathi and Pashupatinagar. In total, India was accused by the committee of encroachment at 65 places on the India-Nepal border.<sup>20</sup> Punya Prasad Oli, then-Joint Secretary at the Ministry of Land Reforms and Management, said that there was no border related “disputes” between India and Nepal “but difference has been seen in their behavior and the map and the details concerning the border were not clear after the Sugali Treaty”.<sup>21</sup> That meeting was also attended by the then-Director General of the Department of Survey, Baburam Acharya, who referred to the progress made by the Joint Technical Committee and said that “there was no border dispute from the policy point of view at the places where the border has been demarcated”.<sup>22</sup> This statement by Acharya angered the political members of the committee. Later, Acharya denied that his statement supports India’s claim on Kalapani. He said that the

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<sup>16</sup> Ibid , p , xxxix.

<sup>17</sup> Alok Kumar Gupta ‘Kalapani, *A Bone of Contention between India and Nepal*, 17 October 2000, Institute of Peace and Conflict Studies, op cit.

<sup>18</sup> Avtar Singh Bhasin *Nepal-India , Nepal China Relations : Documents 1947-June 2005* 5, op cit, p. 711.

<sup>19</sup> Ibid, p. 711.

<sup>20</sup> Ibid, p. 1058.

<sup>21</sup> Ibid, p. 1057.

<sup>22</sup> Ibid.

Kalapani area has not been demarcated and informed the members that the northern side the Indo-Nepal border has been demarcated only up to Bramadevmandi (Kanchanpur).<sup>23</sup>

In July 2000, Nepalese Foreign Minister, Chakra Prasad Bastola, made a statement in the Nepalese parliament that Joint technical teams from India and Nepal are working for the scientific demarcation of the border.<sup>24</sup> The foreign minister accepted that the main headache to resolving the border issue is the reference to Mechi and various other rivers as the demarcating point.<sup>25</sup> During the visit of the Prime Minister of Nepal, Sher Bahadur Deuba, to New Delhi in 2001, the two countries noted the importance of a scientifically demarcated alignment of the international boundary between them. Deuba and the Indian Prime Minister Atal Bihari Vajpayee reiterated that in case the Joint Technical Level Boundary Committee was unable to reach a mutually acceptable agreement on certain specific segments of the boundary, detailed reports on these pockets, including a compilation of the available evidence, would be submitted to the two governments for their consideration.<sup>26</sup>

In 2007, questions were raised in the Indian parliament on the status of the Bhikhnathori border between India and Nepal.<sup>27</sup> In response to these, Minister of External Affairs, Pranab Mukherjee, stated:

“The India-Nepal boundary is based on the Treaty of Sugauli of 1816 between British East India Company and Kingdom of Nepal and subsequent treaties and agreements. India and Nepal have established a Joint Technical Committee, with the objective of, *inter alia*, resolving the differences of perception on the alignment of boundary in some segments, which also includes Bhikhnathori.”<sup>28</sup>

In 2009, the question of the India-Nepal border was again raised in the Indian parliament. The then-Minister for External Affairs, S M Krishna, was asked whether there was any border “dispute” between India and Nepal and, if so, the names of the areas and the extent of the disputed territory, and the duration of the ongoing dispute.<sup>29</sup> In reply, Krishna denied that India had encroached on Nepalese land. He stated:

“...strip maps covering about ninety six percent of the India-Nepal boundary have been jointly finalised by the Joint Technical Committee on Boundary Matters, and initialled. There are, however, differences of perception in some areas on the alignment of boundary between India and Nepal. Differences exist in areas such as Narsahi-Susta in Bihar and Kalapani in Uttarakhand. The shifting of course in Susta region of the Gandak river, the mid-stream of which formed

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<sup>23</sup> Ibid, p 1058.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid, p. 1082.

<sup>26</sup> Avtar Singh Bhasin *Nepal-India , Nepal China Relations: Documents 1947-June 2005*, op cit, p. 1164.

<sup>27</sup> Ministry of External Affairs, Government of India, Q. 5702 Border dispute between India and Nepal, <https://www.mea.gov.in/lok-sabha.htm?dtl/11621/q+5702+border+dispute+between+india+and+nepal>. Accessed on 12 November 2019.

<sup>28</sup> Ibid.

<sup>29</sup> Ministry of External Affairs, Government of India, <https://www.mea.gov.in/lok-sabha.htm?dtl/16589/q2147+demarcation+of+indonepal+border>. Accessed on 12 November 2019.

the boundary under the Treaty of Sugauli of 1816, has resulted in claims by Nepal in this segment.”<sup>30</sup>

In 2014, after a gap of 23 years, India and Nepal held the third joint commission meeting. This was led by the foreign ministers from both countries. In that meeting, the two foreign ministers directed their foreign secretaries to look at and resolve the India-Nepal border related differences.

In 2016, Nepal and India formed the Eminent Persons Group (EPG) to look at their bilateral issues, including border issues. After a detailed study, the EPG submitted its report in 2018.<sup>31</sup> Most of the recommendations of the EPG, as reported in the media, are on border management rather than resolving differences over delineation. The EPG report calls for changing the porous border to “smart border”. For this, it has recommended installing electronic equipment along the border. Once these are installed, both countries could determine the kind of documents – passports, driving licence or any other identity documents – to be used in place of the electronic identity cards.<sup>32</sup> The EPG has also recommended that people cross-border movement be limited to designated border posts.<sup>33</sup>

## Present Row over the Border Demarcation

Spread over 35 square kilometres, Kalapani lies at the trijunction of India, China and Nepal. Trade between India and China through the Lipulekh pass, north of Kalapani, was resumed in 1992. This enables the tribal traders from the border region of Uttarakhand to trade with Tibetan traders in the Taklakot region of the western Tibetan district of China. Such trading takes place between June and September every year.<sup>34</sup> In 2014, India and China discussed how to use the Lipulekh pass as an additional meeting point for border personnel from the two countries. In a joint statement issued in 2015, Indian Prime Minister Narendra Modi and Chinese President Xi Jinping referred to Lipulekh as a bilateral trade route between the two countries. This reference was opposed by the Nepalese government which said that it was against the provisions of the 1816 Sugauli Treaty.<sup>35</sup> Nepal’s Foreign Minister Pradeep Kumar Gyawali stated that the “Nepal government does not accept Lipulekh as tri-junction between Nepal, India and China. It will be finalised only after Nepal and India agree to demarcation...No country can discuss Nepal’s territory in Nepal’s absence.”<sup>36</sup>

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<sup>30</sup> Ibid.

<sup>31</sup> Kamaldev Bhattarai, ‘Nepal Fumes Over Kalapani in New Indian Road Map; ‘Accurate,’ Says MEA’, *The Wire*, 7 November 2019, <https://thewire.in/external-affairs/nepal-india>. Accessed on 8 November 2019.

<sup>32</sup> Anil Giri, ‘Nepali, Indian experts propose ‘smart border’ to limit crossings’, *The Kathmandu Post*, 13 August 2018, <https://kathmandupost.com/national/2018/08/13/nepali-indian-experts-propose-smart-border-to-limit-crossings>. Accessed on 12 November 2019.

<sup>33</sup> ‘Identity card-based India-Nepal cross-border movement suggested’, *Business Standard*, 14 August 2018. [https://www.business-standard.com/article/news-ians/identity-card-based-india-nepal-cross-border-movement-suggested-118081400016\\_1.html](https://www.business-standard.com/article/news-ians/identity-card-based-india-nepal-cross-border-movement-suggested-118081400016_1.html). Accessed on 14 November 2019.

<sup>34</sup> ‘Border trade between India, China through Lipulekh concludes’, *Financial Express*, 31 October 2017. <https://www.financialexpress.com/india-news/border-trade-between-india-china-through-lipulekh-concludes/914371/>. Accessed on 21 November 2019.

<sup>35</sup> ‘Kalapani Nepali territory: Govt’, *The Himalayan Times*, 7 November 2019, <https://thehimalayantimes.com/nepal/kalapani-nepali-territory-government/>. Accessed on 8 November 2019.

<sup>36</sup> Ibid.

The Kalapani trijunction was in the news during the 73 days of military stand-off between India and China in Doklam in 2017. At that time, a senior Chinese foreign affairs ministry official “asked what New Delhi would do if it ‘enters’ (the) Kalapani region in Uttarakhand or Kashmir”.<sup>37</sup> As New Delhi is about 755 kilometres from Kalapani, it has strategic importance to India. Many times, Indian and Chinese troops have engaged in stand-offs on the northern border. The last time the troops from the two countries confronted each other was in September 2019 near the northern bank of Pangong lake in Ladakh.<sup>38</sup>

In November 2019, after news was reported of Kalapani being depicted in the updated map of India by Nepalese media, protests erupted in Kathmandu and other parts of Nepal. The All Nepal National Free Students Union, the student wing of the ruling Nepal Communist Party, staged protests in Kathmandu. On its part, the Nepal Students’ Union, the student wing of the opposition party, the Nepali Congress, staged a protest in front of the Indian embassy in Kathmandu. They raised slogans against what they saw to be and describe as “encroachment” or “occupation” of Nepalese territory by India.<sup>39</sup> On social media, the twitter hashtag #BackoffIndia has been created by the protestors.<sup>40</sup> Reiterating Nepal’s claims over Kalapani, the spokesperson of the Nepal Communist Party, Narayan Kaji Shrestha, said that “Kalapani is the land of Nepal and our party stands firm on this conviction. India is continuously trying to settle this issue, but we won’t go back on our claim”.<sup>41</sup> Nepal’s official position was stated in a press release issued in the Nepali language by Nepal’s Ministry of Foreign Affairs. The press release says that Kalapani is Nepal’s territory and calls for the resolution of India-Nepal border issues through diplomatic means based on historic documents and concrete evidence.<sup>42</sup>

Refuting all such accusations of land “encroachment”, India’s Ministry of External Affairs’ spokesperson said that “[India’s] map accurately depicts the sovereign territory of India. The new map has in no manner revised our boundary with Nepal.” He went on to emphasise:

“The Boundary Delineation Exercise with Nepal is ongoing under the existing mechanism. We reiterate our commitment to find a solution through dialogue in the spirit of our closer friendly bilateral relations. At the same time, and I think it is very important to note that both sides should guard against vested interests who are out there to create some differences between the two countries.”<sup>43</sup>

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<sup>37</sup> Anupam Trivedi, ‘Why Kalapani is crucial and the Chinese threat should not be taken lightly’, *Hindustan Times*, op cit.

<sup>38</sup> ‘Indian, Chinese soldiers face-off near Pangong lake in eastern Ladakh, tensions ease after talks’, *India Today*, 12 September 2019, <https://www.indiatoday.in/india/story/india-china-army-ladakh-face-off-confrontation-1598214-2019-09-12>. Accessed on 3 December 2019.

<sup>39</sup> ‘India’s updated political map stirs controversy in Nepal’, *Al Jazeera*, 8 November 2019, <https://www.aljazeera.com/news/2019/11/india-updated-political-map-stirs-controversy-nepal-191108130802391.html>. Accessed on 9 November 2019.

<sup>40</sup> <https://twitter.com/hashtag/backoffindia>

<sup>41</sup> India’s updated political map stirs controversy in Nepal’, op.cit.

<sup>42</sup> Ministry of Foreign Affairs, Government of Nepal ‘Press Release’, <https://mofa.gov.np/%e0%a4%aa%e0%a5%8d%e0%a4%b0%e0%a5%87%e0%a4%b8-%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-%e0%a4%a8%e0%a5%87%e0%a4%aa%e0%a4%be%e0%a4%b2-%e0%a4%ad%e0%a4%be/>. Accessed on 11 November 2019.

<sup>43</sup> Ministry of External Affairs, Government of India, ‘Transcript of Weekly Media Briefing by Official Spokesperson’, 7 November 2019. <https://mea.gov.in/media-briefings.htm?dtl/32019/>

As the protests mounted in Nepal, Nepalese Prime Minister K P Sharma Oli, in a meeting of Nepal Yuva Sangam (Nepal Youth Meet), the youth wing of the ruling Nepal Communist Party, said that the Kalapani area belonged to Nepal and that “India should immediately withdraw its army from there”.<sup>44</sup> He also said, “We will not allow even an inch of our territory to be occupied by any country. India must vacate it.”<sup>45</sup> He added that talks will only take place after India “withdraws its army from our land”.<sup>46</sup>

## Potential Solutions to India-Nepal Border Issues

One of the biggest hurdles in resolving India-Nepal border issues is the failure on the part of India to recognise the border issue as a serious problem. Though Nepal recognises it as a major bilateral issue, India does not. As a result, the issue of border delineation does not find space in most of the bilateral talks between political leaders from the two countries. For instance, in the fifth Joint Commission Meeting held in Kathmandu in August 2019, the two countries focussed on connectivity and economic partnership, trade and transit, power and water resources sectors, culture and education. They also exchanged views on the review of the Treaty of Peace and Friendship of 1950 and the EPG report.<sup>47</sup> Border issues were missing from the agenda. One of the reasons for this is that in 2014 foreign secretaries from the respective countries were mandated to engage in talks and resolve their border related differences. However, foreign secretary level talks on border issue are yet to take place.<sup>48</sup>

River Kali, which is marked as a demarcation point like other Himalayan rivers, changes its course. Moreover, the level of water flow varies from one season to the other. Hence, different historical maps show different pictures. In such a situation, it is better for both countries to amicably fix or recognise a boundary demarcation point in the Kalapani area rather than rely on historical maps. This is, however, possible only when India and Nepal agree to discuss their border related differences. The situation is the same at the India-Nepal border in Susta where river Gandaki (Narayani in Nepal) demarcates their border.

Nepalese commentators, such as Gaurab Shumsher Thapa, maintain that India and Nepal have boundary delineation-related differences at 71 places.<sup>49</sup> However, former foreign secretary of India, Shyam Saran, writes that India and Nepal have settled about 98 per cent of the common border that is reflected in the 182 strip maps initialled by them. He adds that more than 8,500 boundary pillars have been installed which reflect the agreed

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[Transcript of Weekly Media Briefing by Official Spokesperso, 7 November 2019](#). Accessed on 12 November 2019.

<sup>44</sup> Yubraj Ghimire, ‘Map row: Nepal’s PM Claims Kalapani Area, tells India to ‘withdraw’, *The Indian Express*, 18 November 2019, <https://indianexpress.com/article/world/map-row-nepals-pm-claims-kalapani-area-tells-india-to-withdraw-6124580/>. Accessed on 19 November 2019.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

<sup>47</sup> Ministry of Foreign Affairs, Government of Nepal, ‘Press Release on Fifth Meeting of the Nepal-India Joint Commission’, <https://mofa.gov.np/press-release-on-fifth-meeting-of-the-nepal-india-joint-commission/>. Accessed on 10 September 2019.

<sup>48</sup> Shyam Saran, ‘India, Nepal must seek mutually acceptable solutions to controversy over new map’, *The Indian Express*, 27 November 2019, <https://indianexpress.com/article/opinion/columns/india-nepal-border-map-kalapani-6138381/>. Accessed on 27 November 2019.

<sup>49</sup> Gaurab Shumsher Thapa, ‘Nepal and India must talk and resolve the Kalapani issue amicably’, *South Asia Monitor*, op cit.

alignment.<sup>50</sup> In this case, if the problem remains unresolved, then amicable solution to the other border issues may provide a much-needed incentive to resolve India-Nepal differences over the Kalapani and Susta.

Finally, after protests erupted against the updated Indian map, India pointed at “vested interests” which are “out there to create some differences between the two countries”.<sup>51</sup> The Indian establishment has to realise that these “vested interests” have been able to establish their presence because of India’s treatment of Nepal. Most Indian commentators describe Nepal as a natural partner of India and refer to the centuries-old *Roti-Beti* (Bread-Daughter) relationship, without realising that Nepal’s perception of India has notably changed after the economic blockade from September 2015 to February 2016.<sup>52</sup> During that blockade, the Nepalese accused India of blocking the supply of essential goods such as gas cylinders into Nepal from its border in Bihar. Post-blockade Nepal started distancing itself from India.<sup>53</sup> India has to take political steps to address these problems rather inflating them further.

## Conclusion

One of the major hurdles in resolving India-Nepal boundary issues is that India does not recognise it as a major bilateral problem. First, India must recognise it as a major problem. Thereafter, political leaderships from the two countries should direct their foreign secretaries to meet, discuss and identify an amicable solution to all existing India-Nepal boundary demarcation related differences.

Apart from territorial demarcation, the India-Nepal border issue is political in character. Relations between India and Nepal were strained after Nepal blamed India for imposing a border blockade, though the Indian government denies it. Since then, India is trying hard to revive its image in the Himalayan country. This fresh row over Kalapani may further harm India-Nepal relations. Therefore, it is in the interest of India to resolve its boundary related differences with Nepal.

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<sup>50</sup> Shyam Saran ‘India, Nepal must seek mutually acceptable solutions to controversy over new map’, *The Indian Express* (27 November 2019), op cit.

<sup>51</sup> Ministry of External Affairs, Government of India, ‘Transcript of Weekly Media Briefing by Official Spokesperson, 7 November 2019’, op cit.

<sup>52</sup> Marriages on the two sides of the border.

<sup>53</sup> See Amit Ranjan, ‘The Changing Dynamics in India-Nepal Relations’, *ISAS Briefs* (5 September 2019). [https://www.isas.nus.edu.sg/wp-content/uploads/2019/09/ISAS-Briefs-697\\_Amit-Ranjan.pdf](https://www.isas.nus.edu.sg/wp-content/uploads/2019/09/ISAS-Briefs-697_Amit-Ranjan.pdf). Accessed on 3 November 2019.