



## Current Affairs of the Day

### GS II

- SC stays implementation of three controversial farm laws.
- Ahead of Gyawali's visit, Nepal, India differ on conducting 'border talks'.

## SC stays implementation of three controversial farm laws

The Supreme Court on Tuesday stayed the implementation of three controversial farm laws, calling its order “extraordinary” and a “victory for fair play”.

### Highlights:

1. The stay on the implementation of the laws means that the Centre cannot, for the time being, proceed with any executive actions to enforce the laws.
2. The court formed a four-member committee of experts “to listen to the grievances of the farmers on the laws and the views of the government and make recommendations”.

### Imposing a compromise

3. It is only in the wake of the government’s perceived failure that the Court has chosen to intervene, but it is unfortunate that it is not in the form of adjudicating key questions such as the constitutionality of the laws, but by handing over the role of thrashing out the issues involved to a four-member panel.
4. While a negotiated settlement is always preferable, it is equally important that judicial power is not seen as being used to dilute the import of the protest or de-legitimise farmer unions that stay away from the proceedings of the panel or interfere with the powers of Parliament to legislate.

## Ahead of Gyawali’s visit, Nepal, India differ on conducting ‘border talks’

**News:** The Kalapani territorial dispute is expected to be “raised” by Nepal during the Joint Commission meeting to be held here during the visit of Foreign Minister Pradeep Kumar Gyawali

**Background:** An argument has erupted between India and Nepal, after an 80 km new road between Dharchula to Lipulekh, the border pass near the trijunction with Tibet and Nepal, was inaugurated by Defence Minister Rajnath Singh. The road is expected to be used by the Indian pilgrims visiting Kailash-Mansarovar, some 90 km from the pass, as well as the local traders, Lipulekh being one of the three authorised land ports between India and China. The Lipulekh pass is a far western point near Kalapani, a disputed border area between Nepal and India. Both India and Nepal claim Kalapani as an integral part of their territory.

## TRI-JUNCTION TROUBLE

Lipulekh mountain pass at the 80-km-long Uttarakhand-Nepal border

**Kalapani**

**Lowest point**

11,980 ft

**Highest point**

20,280 ft

(Lipulekh Pass)



➤ Nepal has two tri-junctions with India and China

➤ The one in dispute now is Lipulekh in Kalapani, at the border of Uttarakhand with Nepal

➤ In 1816, the Sugauli Treaty signed by Nepal and British India identified Kali river as

Nepal's boundary with India

➤ Nepal claims the river to Kalapani's west is the main Kali, and thus Nepal has territorial rights to it

➤ India holds that a ridgeline to Kalapani's east is the border, thus Kalapani falls within its territory

### What is India's stand?

1. The Ministry of External Affairs (MEA) has termed Nepal's action 'unilateral act' when it incorporated Limpiyadhura, Lipulekh, and Kalapani, in its revised maps. These areas have always been part of the Indian Territory.



While Blue alignment and source are claimed by Nepal, effectively with such alignment Nepal claims Limpiyadhura, Kalapani and Lipulekh being part of its territory. However, India refers to red alignment and source for the Kali river.

2. Indian army has had its base in Kalapani since the 1950s. In the trade agreements between India and China, the Lipulekh pass was clearly mentioned.
3. Therefore, the claim of Nepal is not supported either by actual control or legal historical documents.
4. India has urged Nepal to resolve the matters through diplomatic dialogues and to create a positive atmosphere.
5. India has urged Nepal to refrain from such unjustified cartographic assertion and respect India's sovereignty and territorial integrity.

### **What are diplomatic undercurrents in the issue?**

1. The cartographic reassertion refers to two things: there is a growing anti-India sentiment in Nepal, and second Nepal has tacit support from China.
2. Being cornered globally, China is now using its weight on influential countries like India to moderate their position on China being responsible for the coronavirus pandemic. It is also asserting pressure on countries like Nepal where Beijing is considered to be a big donor.



3. Nepal is being cajoled to pick issues with India and it finds it easy to position China to oppose India's historical, cultural and geographical weight on Kathmandu, which that country sees as a real challenge.
4. The issue of boundary demarcation in the Lipulekh area of India-China-Nepal trijunction has been lingering for decades. India should have taken care to resolve this issue much earlier. Nepal has been able to convert a non-issue into a hot issue, which Indian diplomats should have visualised long ago. Especially when Nepal is looking towards China for deeper engagement and ignoring its centuries-old cultural and social relationships with India.
5. There seems to be a national consensus in Nepal over disputes with India. Anti India demonstrations in Nepal is a regular phenomenon and India will have to delicately manage the issue at the highest diplomatic level. India will have to see that China is not able to exploit the anti – Indian sentiments in Nepal.