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Dynamism: Key to Strong
India-Nepal Relations

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Abstract

The visit of Nepal's Prime Minister Pushpa Kumar Dahal to India in June 2023 was significant as it facilitated course correction and ironing out of creases and discordant notes in contemporary India-Nepal relations. The ubiquitous China factor has, of late, been an ominous and overwhelming shadow on bilateral relations between the two countries. Despite civilisational bonds and familial ties, there have been irritants which have led to China making inroads into Nepal. Its investments under the Belt and Road Initiative have led to certain waning of India's influence in Nepal.

Nepal also resents the 'big-brother' syndrome which it uses emblematically to describe the India-Nepal relations. Sentiments such as these are routinely being exploited for vested interests— to fan anti-India sentiments in Nepal. The Sino-Nepal ties too have had its share of head-winds. The huge trade deficit with China remains a matter of concern in Nepal. Further, ties between Nepal and the US have thawed post ratification of the American assistance of 500 USD to Nepal under the Millennium Challenge Corporation (MCC) in 2022. With US entering the fray, Nepal has become another geo-political playground for global and regional players. India needs to be more dynamic in restoring Nepal's confidence and putting to rest its apprehensions while Nepal has to reciprocate equally. The article is a multi-dimensional scan of bilateral relations alongwith crystal gazing towards opportunities to be exploited in taking the ties to a different level.

Keywords: India, Nepal, China, Strategic Competition

Background: India-Nepal Relations

Nepal Prime Minister Pushpa Kamal Dahal's visit to India from 31 May 2023 to 03 June 2023 was a significant landmark in India-Nepal relations. India and Nepal are civilisations from the same origin, with common cultural and religious orientation and have often been described as the world's closest neighbours (Anupam, B., 2020). Commitment to bilateral relationship is based on shared values— both nations have similar religions, festivals, food, culture and social affinity. Citizens from any of the countries can work and reside on either side of the border. Nepal, though landlocked, is strategically located and shares its 1850 Km borders with five Indian States viz. Sikkim, West Bengal, Bihar, UP and Uttarakhand.

It depends on India for transportation of goods and services. The shared common heritage is also reflected through the sister-city arrangements of Kathmandu-Varanasi, Lumbini-Bodhgaya and Janakpur-Ayodhya.

Nepalese Gorkhas have been an integral part of Indian Army and Army Chiefs of both the countries are 'Honorary Generals' of each other's armies. The bravery of Gorkhas is legendary who are known for their loyalty and discipline. Their valour and absolute obedience to orders was recognised by the British in the form of a Peace and Friendship Treaty 1923. Post-independence, India and Nepal signed a Treaty of Friendship of 1950, giving the best possible foreign policy example as a neighbour. Economy, *Roti-Beti ka Rishta* (people to people contact), energy, trade and investments are major areas of cooperation between the two countries. Nepal continues to be the key partner of India's 'Neighbourhood First Policy' (PTI, 2023).

India's 'Neighbourhood First' policy was fashioned by the need to improve relations with its immediate neighbours and maintain peace and tranquillity in South Asia. Moreover, the geo-political situation, arising due to China's muscle-flexing and growing assertiveness in the region, requires immediate attention. The attraction of India's immediate neighbours towards China's rising economic and military influence and consolidation through BRI has major strategic implications for India (Mishra, M.K., 2019).

After being sworn in as Prime Minister on 26 December 2022, PM Pushpa Kamal Dahal 'Prachanda' had outlined his Government's priority to balance ties with both India and China. He has repeatedly emphasised the need for India and Nepal to diplomatically address issues left by history to realize the full potential of bilateral cooperation. He also stressed on the necessity of a new understanding with India based on the changed scenario in Nepal.

Visit of Nepal Prime Minister to India in May-June 2023

Dahal's maiden visit to India, which he termed as both significant and successful, became his first trip overseas after assuming office in December 2022. Nepal has lately been more accommodating. The approval of the citizenship law is seen as an outreach to India and the US (Ghimire, Y., 2023). The bilateral meetings with Prime Minister Modi were mainly focused on economic and political issues and ways to enhance mutual trust. The bonhomie between both the Prime Ministers was evident as PM Narendra Modi emphasised the need to consolidate bilateral relations and take the relationship to 'Himalayan Heights'. The two nations signed seven agreements and launched six projects to enhance bilateral ties. While the

visit enhanced mutual goodwill and shared aspirations, it also set the stage for new dynamism and progress in bilateral relations (Mazumdar, J., 2023).

The major highlight of the bilateral meetings was an understanding to resolve the boundary issues through established diplomatic mechanisms. Positive agreements were made in areas of trade, transit, irrigation, agriculture, cross-border petroleum pipeline construction, integrated check posts and infrastructure development. Another significant success was the signing of a long-term power sharing agreement for the supply of 10,000 MW of electricity over 10 years from Nepal (Bhattacharjee, K., 2023). The agreement also enables Nepal to export electricity generated from Upper Tamakoshi Hydropower Project to India during power surplus months.

By virtue of the revised Trade and Transit Treaty, Nepal can now use Indian inland waterways.. India's approval to facilitate the export of 40 MW of power from Nepal to Bangladesh, using its transmission lines, is a remarkable breakthrough in South Asian connectivity. Cross-border digital payments will also be facilitated soon. Agreements with respect to new integrated check posts, oil pipelines, and railway infrastructure are expected to boost trade and passenger connectivity.

The six projects launched by both the Prime Ministers (UNI, India, 2023) include handing over of railway line between Kurthea - Bijapur to Nepal, an inaugural trial run of Indian cargo from Bathnaha to Nepal Customs Yard, the inauguration of Integrated Check Posts (ICP) at Nepalgunj (Nepal) and Rupaidiha (India), a ground breaking ceremony of ICPs at Bhairahawa and Sonauli, Phase II of Motihari - Amlekhganj petroleum pipeline and Indian portion of the Gorakhpur-Butwal transmission line.

Missed Opportunities

Though Prime Minister Dahal described his visit as fruitful, but there has been a fallout of the new political administrative map issued by Nepal in May 2020 which includes the tri-junction of Limpiyadhura, Kalapani and Lipulekh as part of Nepalese territory. Since then, tensions escalated between both the Governments as the boundaries were fixed by the British in 1816 and India inherited all those areas in 1947 over which the British had exercised territorial control. Nepal's Ministry of Land Management's claim instead is based on the map drawn during the Treaty of Sugauli signed on 04 March 1816¹, as well as receipts of land revenue payments during the time of Prime Minister Chandra Shumsher (Manish, 2023).

¹ The **Treaty of Sugauli**, signed on March 4, 1816, established the boundary line of Nepal between the East India Company and Guru Gajraj Mishra following the Anglo-Nepalese War of 1814–16.

The other discordant notes were the inability to reach an agreement on power export to India— Nepal wanted an umbrella agreement for 25 years, but only an “In Principle” agreement at the level of two Prime Ministers was reached for ten years. The disagreements between the two sides also led to a failure to reach an agreement on use of Indian airspace, for commercial air traffic, to Nepal’s Lumbini province.

Nepal: A New Geo-Political Arena

With the sharpening of US-China contest, Nepal has emerged as a vital geo-political arena between multiple global players. China is continuously trying to influence Nepal with its Belt and Road Initiative (BRI). US, on the other hand, has been exercising influence through its Millennium Challenge Corporation (MCC) and Indo-Pacific Strategy. Nepal has tried to balance its relations by ratifying MCC projects with caveats and by asking China to fund BRI projects on a grant or concessional loan basis. While it has already agreed to implement 500 million USD project under the MCC, major Chinese interests in Nepal remains largely economic. China wants to push the BRI and is keen to reach Indian markets through Nepal. It also values backing of Nepal at various global forums. The huge trade deficit with China is a matter of unease for Nepal. Therefore, Nepal while being wary of any activity being seen as anti-China, is cautious of the happenings in other Chinese debt-ridden countries specially Sri Lanka. It has nevertheless made concerted efforts in the recent past in increasing trade and connectivity with China.

Nepal has in the past tried maintaining good relations with both its neighbours while simultaneously trying to extract the best from them. Due to enhanced Chinese influence, Nepal continues to be a playground for power play and contest between its neighbours. Owing to China’s considerable investments in Nepal under the BRI initiative, its envelopment might lead to a debt-trap, while posing security challenges to India.

Growing Chinese Influence

With constant western forays, China has been taking aggressive steps to further enhance its presence and influence in Nepal. In addition, ongoing infrastructure development projects, widespread presence of Chinese diaspora and China's permeation into the educational sphere by establishing Chinese study centres, has been a concern for India.

Dependencies on China

Bilateral relations between Nepal and China are defined by the Sino-Nepalese Treaty of Peace and Friendship of 1960. Both the countries had resolved their border disputes through the Sino-Nepal Boundary Agreement of October 1961. Over the years, China has increased its influence over Nepal through trade, infrastructure projects, soft loans and other engagements.

China has jockeyed for influence in Kathmandu through ideological associations with the Nepal Communist Party. It made concerted efforts by publicising Xi Jinping's ideas on the Chinese model of economic development and socialism. During Xi Jinping's visit to Nepal in 2019, bilateral relationships were upgraded to strategic partnership and assistance worth 56 billion Nepalese Rupees was granted to Nepal for developmental projects (Kumar, D., 2023). The Pokhara international airport is a flagship project under China's BRI and Nepal has signed a USD 215.96 million soft loan agreement with China for its construction.

China also remains the largest source of foreign investment in Nepal from the last seven years— its investments have generated more than 100,000 jobs (GT, 2023). The Chinese government provides scholarships and sponsors study tours for Nepali students, bureaucrats and civil society. Mandarin is now a compulsory subject in most schools across Nepal (ANI,2023). Numerous hotels, restaurants and other businesses in Nepal are owned by Chinese nationals.

China's BRI initiative has seen significant investments in Nepal since May 2017 (Baruah, D.M.,2017). China has constructed roads, bridges, hydropower plants, and airports. Upper Marsyangdi hydropower station which began operations in September 2016, was the first project established, constructed, and operated by a Chinese company in Nepal. The largest hydroelectric project in Nepal — the Upper Tamakoshi Hydroelectric Project, was made operational in March 2022 with the assistance of a Chinese company. Other major projects are Kathmandu-Kerung Railway and Galchi-Rasuwaagadhi-Kerung 400 KV transmission line.

Nepal also signed a transit covenant with China for access to four Chinese seaports of Tianjin, Shenzhen, Lianyungang and Zhanjiang and three land ports Lanzhou, Lhasa, and Shigatse. It is using these ports since October 2018 (Mohan, G., 2019).

Its request for BRI projects under grants rather than loans has not been well received by China (Sharma, S. & Chettri, P.S.,2022). Also, Nepal wants the BRI projects to be open for execution by Nepalese conglomerates as well and is not in favour of 'Right of Bid' being exclusively reserved for the Chinese firms (Chaudhury, D.R., 2022). On the other hand, China wants Nepal to remain neutral between its two neighbour viz. India and China. It also wishes to stop Nepal being pulled by US and India (Jha, H.B., 2022). China is actively involved in

four key areas in Nepal —energy, tourism, hospitality and infrastructure development (Ghimire, Y., 2022).

India's Concern

Threats to India's territorial integrity stem from insurgency in the border areas and continued threat of Chinese influence. Its security concerns arise from the presence of Chinese citizens in Nepal which may collude with Pak ISI agents operating in the region. The presence of substantial indicators suggest that Nepalese Maoists continue to provide considerable support to Indian Left Wing Extremism. After becoming Prime Minister in September 2015, KP Sharma Oli had openly aligned with China in response to a blockade by India.

India's Engagement with Nepal

India has, over last 20 years, carried out over 535 High Impact Community Development Programs (HICDPs) in Nepal, amounting to INR 722 Cr. The projects were implemented through local authorities of the Nepal Government. India also committed USD one billion for reconstruction projects in 2015 after the earthquake. It further pledged USD 150 million for the housing sector to support 50,000 housing beneficiaries in Gorkha and Nuwakot districts and a USD 50 million grant was allocated for the reconstruction of 71 educational institutes in eight districts of Nepal. A Grant of USD 50 million was also allocated for the reconstruction of 132 Health projects in ten districts. In addition, USD 50 million was allotted for the reconstruction of 28 cultural heritage projects in seven districts. It has also gifted 200 vehicles to Nepal in 2022 for election duties (MEA, 2022).

India's firms are amongst the largest investors in Nepal, accounting for more than 33 percent of the total FDI, worth nearly USD 500 million. There are about 150 Indian ventures engaged in manufacturing, services including banking, insurance, dry port, education and telecom, power sector and tourism industries. India and Nepal are also signatories to the Double Taxation Avoidance Agreement (DTAA). The bilateral remittance flow is estimated at approximately USD three billion (Nepal to India) and USD one billion (India to Nepal) [MEA, 2022].

Indian companies have made considerable investments in the hydropower sector in Nepal. The projects being implemented by them includes the 900 MW Arun III and the Lower Arun projects in Sankhuwasabha. The project has a capacity of 669 MW and is expected to significantly contribute to Nepal's energy sector. India has taken the lead in hydropower generation in Nepal and is developing a 480 MW Phukot - Karnali project which was originally

listed under the Chinese BRI. Indian companies will develop seven projects which will generate 4,639 MW of power. Indian businesses have also invested in Nepal's cement manufacturing. Indian banks and financial institutions have expanded their operations by providing banking services and supporting cross-border trade and investment. Indian telecom companies are operating in Nepal, providing mobile and internet services. Indian corporates are prominent in Nepal's hospitality and tourism industry. Aside from training Nepali soldiers every year, India plays a role in training and equipping the Nepali police. The two countries discussed security mechanisms such as the Nepal-India Bilateral Consultative Group on Security.

Current Impediments in Relations and Significance of the Visit

Even though the visit of Nepal PM saw productive deliberations and engagements across various sectors, disagreements persisted on a number of vital issues. The longstanding tradition of regular reciprocal visits by Heads of State was operational till 1997. Nepal was also looking forward to positive agreements towards India allowing use of its airspace for flights bound for Bhairahawa international airport (Rae, R., 2023). It also signed a 25-year agreement on export of electricity from Nepal and a final settlement of the Pancheswar Multipurpose Project” (Mazumdar, J., 2023), which did not fructify during the visit of the Nepal PM. Such contentious issues undermine the full potential of the bilateral relations.

The continuing perception that the water agreements concluded with India were not advantageous to the country, created hurdles over the implementation of the Mahakali Treaty and commencement of the construction of the Pancheswar Dam project under the treaty. Other issues are in the succeeding paragraphs.

- **Anti-India Stance.** India has been a major factor in Nepal politics. Abolition of monarchy, restoration of democracy and the peace agreement with Maoists was not only at the behest and nudging of India, but it also played a major role in policy formulations. While India's role in rallying support for establishing a secular Republic in 2006 was widely appreciated, its attempts at “micro-management” of Nepal affairs resulted in significant loss of goodwill. Opposing India has long been the mainstay of Nepali politicians. Prachanda has in the past voiced anti- India views. India today controls major portion of economic activity in Nepal and is a major transit route for imports and exports. However, the Nepali polity resents India's involvement.
- **Blockades.** The nearly 1,800 km of international border between India and Nepal is open but manned on the Indian side by local Police and administrative authorities.

- ***Delay in Implementing Bilateral Commitments.*** The Pancheswar multipurpose project agreement of 1996 and the issue of resolution of additional air routes to Nepal as agreed in 2014 are two such examples.
- ***Animosity over Previous Agreements.*** Many in Nepal consider the Gandaki, Kosi and Mahakali Water Agreement tilted in India's favour. The 1950 Peace and Friendship Treaty is also highly unpopular in Nepal. Nepal feels that India has a hegemonic spirit while negotiating agreements with Nepal. Nepal has a massive trade deficit with India. In the fiscal year 2021-2022, Nepal imported USD10 billion worth of goods and services from India, while exporting USD 1.3 billion, according to the statistics compiled by the Customs Department (Pandey, L.,2023).ⁱ
- ***Controversy over Mural of Akhand Bharat.*** A controversy broke out in Nepal post the inauguration of India's new Parliament building. The outcry was over a mural depicting the Indian sub- continental landmass which was interpreted as a map of *Akhand Bharat* or undivided India as in Vedic times. In the map no borders were depicted, including of Nepal. The portrayal had drawn angry responses from Nepali political leaders across Party lines. Lumbini, the birth place of Gautama Buddha, shown in the mural was interpreted as India's claim over that region. Buddha's heritage is an emotional and sensitive issue in Nepal. India's refusal to buy power from projects with Chinese involvement is highlighted in anti-Nepal stance in local Nepalese politics.

Recommendations and Way Forward

Border claims are tricky and require deliberate consultations and time to settle. It is good that both nations have decided to enhance cooperation in other areas less the resolution of borders.

India is keen on a positive engagement with its Himalayan neighbour as it always has been a reliable partner in Nepal's development (PTI, 2023). While India has always respected Nepal's sovereignty, it needs to be more transparent at restoring Nepal's confidence and putting its misgivings to rest. Nepal had blamed India for the blockade of 2015. Similarly, relations were under stress due to the border dispute in 2020. The geographical and economic asymmetries have again been a matter of unease for Nepal. However, both the countries must avoid rhetoric on territorial issues and continue with quiet dialogue for resolving existing differences. Strengthening of economic ties will ensure mutual gains to both the nations.

India remains Nepal's largest trade partner and highest source of Foreign Direct Investment (FDI), a major transit route for the land-locked country and main source of inwards remittances. Resolution of irritants such as the currency issue and recruitment norms for Nepalese Gorkhas into the Indian Army, are much needed measures to display the genuineness of Indian intent of walking the extra mile. Keeping in view the seven Gorkha regiments with about 40,000 Gorkha soldiers that are part of the Indian army based upon an agreement post independence, India should attempt to safeguard this legacy which is conducive to Indian geostrategic interests.

India has re-claimed some lost ground by focusing on project implementation. The Jaynagar – Bardibas railway started with Indian technical support and the inauguration of the long-awaited Motihari – Amlekhganj Oil pipeline was greatly appreciated in Nepal.

India should not be seen as intruding in Nepal's internal affairs. Mutually beneficial agreements should be worked out irrespective of third-party influence. Understanding Nepal's concerns to act independently and preserve its autonomy can further reinforce bilateral relations. India may possibly be more liberal in considering connectivity options asked by Nepal. It being a sensitive issue, India must be generous and as the bigger partner must proactively work at addressing anxieties of the Nepalese polity (Mishra, M.K.,2019).

India must also proactively address the anti-India sentimentality and feelings in certain sections of Nepalese society and intelligentsia. Nepal's desire of equal partnership status needs to be given due acceptance and visibility in all engagements. India's Neighbourhood First policy (PTI, 2023), and engagements both bilaterally and through multilateral arrangements (BBIN, BIMSTEC, etc.), could be leveraged to counter the trust deficit.

Lastly, India has to re-consider some of Nepal's apprehensions to further improve the bilateral relations. India's decision of not allowing flights to fly over India's airspace from two airports viz. Pokhara and Bhairahawa (built with Chinese assistance) is hurting Nepal. The issue is vital to Nepal as both the designated international airports remain non-operational.

Conclusion

As India lays impetus on diplomacy in non-traditional spheres, the time now is suitable to push regional ties with Nepal beyond the existing areas. Being a mature and resilient democracy with credible stature, India has always worked diplomatically to resolve its boundary disputes under the aegis of international law. Both the nations hold different perceptions and approaches to addressing issues which are vital. While India has remained guarded and cautious of the swing of the political establishment of Nepal in its tilt towards

Chinese influence, Nepal often viewed India's policy as an encroachment into its internal affairs.

Both countries should work towards multifaceted relationships. The need today is to avoid orotundity on territorial nationalism and lay the groundwork for quiet dialogue where both sides display sensitivity. India needs to recognise the challenge it faces in keeping its ties with Nepal on track. China's growing presence in Nepal is a reality and there is no point bemoaning it. Instead, India should focus on an alternative narrative, emphasising on age-old people-to-people ties and cultural connect while simultaneously underlining New Delhi's commitment for an equitable and enduring partnership. India needs to be a generous partner for the 'Neighbourhood First' Policy to take root.

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