



# CENJOWS

## SITUATION IN NEPAL, IMPLICATIONS AND POLICY OPTIONS FOR INDIA



The history of Nepal commenced, and centres on, the Kathmandu valley. Nepal's founding father, Prithvi Narayan Shah, referred to Nepal as a, 'Yam between two boulders viz, 'China and India'. It was a meeting point between the mongoloid people of Asia and Caucasoid of Indian plains. In earlier times, Nepal prospered from its location as a convenient resting place for the traders, travellers and pilgrims moving between these countries. This 200 years old history would bear witness to the minimal contacts with British India before 1947, which was the avowed policy of the Nepalese rulers.

### Political Scenario

2. Nepal is in a state of 'transitional democracy', wherein various players are trying to find equilibrium. No political party, except the Nepali Congress in 1991, had majority support in the Rashtriya Panchayat making the political situation perpetually unstable. Various political parties had been contesting each other for influence and power and also making deals either amongst themselves or with the Monarchy, as the Monarchy being seen as the only stable institution in Nepal. Political discord, exclusion of large sections of society from political power structures and lack of governance led to people's disillusionment with political parties and emergence of Maoists as a political force in 1996 and have been competing for political space with the other political parties ever since.

3. Maoists were a political movement with an ideology and formed alliances with the deprived sections of society. They have

### CHRONOLOGY OF EVENTS

- ❖ 700 BC: Recorded history begins with Kiratis, who were Hindus and worshipped Shiva.
- ❖ 200 BC: The great Indian Buddhist emperor Ashoka visited the Kathmandu valley.
- ❖ 300 AD: Buddhism faded and Hinduism reasserted and they overthrew the last Kirati king.
- ❖ 602: Amsuvarman, the first Thakuri king came to power.
- ❖ 700 -1200: From 7<sup>th</sup> Century until the 13<sup>th</sup> century Nepal slipped into its 'dark ages'. King Gunakamadeva is credited with founding Kantipur, today's Kathmandu, around the 10<sup>th</sup> Century.
- ❖ 1200: The first of the Malla kings came to power in the Kathmandu Valley
- ❖ 1769: Prithvi Narayan Shah, Nepal's Founding Father of the Shah dynasty, realized his dream of a unified Nepal.
- ❖ 1792: British envoy arrived in Kathmandu.
- ❖ 1816: Sugauli treaty with the British ended its growth. Nepal's borders were cut off to all foreign contact from 1816 until 1951.
- ❖ 1846: Politics, power struggles and place intrigue in the royal household created a volatile mix that led to the "Kot Massacre". This bloody night was engineered by the young Chhetri noble, Jung Bahadur; it catapulted his family into power and side-lined the Shah dynasty.
- ❖ 1850: Jung Bahadur Rana travelled to Europe and brought back a taste for neoclassical architecture, Sati (the Hindu practice of casting widows on their husband's funeral pyre) was abolished and forced labour was ended.
- ❖ Aug 2008: Prachanda forms coalition government and the Nepali Congress becomes the Opposition.
- ❖ May 2009: Prachanda resigns citing the "unconstitutional and undemocratic" move by the President to stop the government from sacking the Army Chief, Gen Rookmangud Katawal.
- ❖ 19 May 2009: Mahendra Nepal declared the new Prime Minister heading a coalition of 22 parties.

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## CHRONOLOGY OF EVENTS

- ❖ **1858:** Present Eastern & Western borders were established, in return for support given to the British during the Indian War of Independence.
- ❖ **1951 :** A new government composed of Ranas and commoners from the Nepali Congress Party was established.
- ❖ **1955:** King Tribhuvan died and was succeeded by his son Mahendra.
- ❖ **1959 :** Nepal held its first general election.
- ❖ **1962:** King Mahendra decided that a partyless, indirect panchayat (council) system of government was more appropriate to Nepal.
- ❖ **1972:** King Mahendra died and was succeeded by his British-educated son Birendra.
- ❖ **1989:** The opposition parties formed a coalition to fight for a multiparty democracy with the king as constitutional head; the upsurge of protest was called the Jan Andolan or People's Movement.
- ❖ **1991:** 20 parties contested a general election for a 205-seats parliament.
- ❖ **1992:** A general strike degenerated into street violence between protesters and police, and resulted in a number of deaths.
- ❖ **1996:** The Maoists (of the Communist Party of Nepal) declared a 'people's war', but was generally ignored by the politicians.
- ❖ **2001:** The Maoists broke their cease-fire and an army barrack was attacked West of Kathmandu.
- ❖ **01 Jun 2001:** The Nepali psyche was dealt a huge blow. King Birendra, Queen Aishwarya and other close relatives killed in shooting spree by Crown Prince Dipendra, who then shot himself. Gyanendra was crowned Nepal King. Sher Bahadur Deuba appointed as Prime Minister.
- ❖ **May 2002:** Parliament dissolved and fresh elections are called over extending emergency. Sher Bahadur Deuba heads interim government and renews emergency.
- ❖ **April 2006:** The King agrees to reinstate Parliament following protests. G.P Koirala appointed as Prime Minister. Maoists declare a ceasefire.
- ❖ **May 2006:** Parliament curtails the King's powers. Government and Maoists begin talks.
- ❖ **Nov 2006:** Maoists and the government sign accord and declare a formal end to a 10-year hold insurgency.
- ❖ **Jan 2007:** Maoist leaders enter Parliament under a temporary constitution.
- ❖ **Dec 2007:** Parliament approves abolition of monarchy as part of peace deal with Maoists.
- ❖ **Apr 2008:** Maoists win the largest number of seats in the new Constituent Assembly.
- ❖ **May 2008:** Nepal becomes a Republic.

also formed tactical alliances with existing political parties and the Monarchy from time to time. Of course, they projected Monarchy, established political parties and upper castes and classes as the enemies of the people. They also projected India and the USA as enemies of the people as well. The political situation changed after Deuba Government was dismissed by the King in 2002 and caretaker government appointed. This resulted in Maoists and the main political parties coming on the same side against the Monarchy.

4. The deprived sections of Nepal Society which has been the root cause of discord are discussed below:-

- (a) **Jan Jatis.** Sixty one Jati of ethnic Nepalese have been constitutionally recognised some of them are Rais, Magars, Limbus etc. They do not consider themselves the subjects of Hindu King but of the King of Nepal. They formed tactical alliance with Maoists.
- (b) **Dalits.** Untouchability was codified by King Jang Bahadur Rana through National Code of Conduct 1854 which was revoked in 1963. Despite this untouchability is still practiced in Nepal. They consider the Varna System, a policy of monarchy and would like Nepal to be declared a Secular State. They number about four million.
- (c) **Madhesis.** The people who inhabit Terai region, who have been discriminated and kept out of the position of power by hill people. About ten lac Madhesis have not been granted citizenship without which they cannot acquire property. Earlier they did not have a sizeable number in the Assembly and thus had to look to hill people for their welfare.
- (d) **Women.** This 50% of population does not enjoy the equal political, social or economic power.

**5. Panchayat Raj & Aftermath.** After thirty years of the Panchayat Raj, the political spectrum in Nepal democratized in 1990 when the concept of Multi-Party Democracy was ushered in. This ushered a large number of domestic and foreign NGOs and free Press, which has been very active in Nepal ever since. Media has raised political consciousness amongst the people to a great degree and even minor political issues are being freely discussed across the country. FM stations are also very active. As a result, political discourse in Nepal has reached common people.

**6. Fall of Monarchy.** When King Birendra took absolute power in 2005, the Maoist and the political parties joined hands to oppose the monarchy resulting in state-wide protests leading to the King giving away his powers to an interim Government led by Koirala. At the very first meeting of the revived Parliament, it was decided to take away all powers of the King and bring the Royal Nepal Army, with a new name, Nepal Army, under the democratic Government, seizure of assets of the Royal family and the conversion of Nepal to a secular republic from the Hindu Kingdom. Thereafter a comprehensive peace treaty was signed between the Seven Party Alliance and the Maoists in November 2006. One of the clauses of the treaty laid down that no recruitment to the Nepal Army and the Maoist Army will take place till new constitution is promulgated. Carrying of weapons by the Maoist cadres (aka PLA / Maoist Combatants) was banned and the Nepal Army was sought to be democratized. The 2008 elections while not giving absolute majority to any single party produced results highly favourable to the Maoist with Prachanda heading the Government. The other parties combined their votes in the Assembly to elect the President of the Republic and the Speaker of the Assembly from amongst their ranks. The strong showing by the Maoists in the elections was attributed to the opposition candidates having lost touch with their people.

**7. New Constitution.** Although all major parties agreed on certain common features to be included in the new Constitution, they have also submitted their own drafts of the Constitution to the Constituent Assembly. The constitution was scheduled to be debated and approved by 2010 before holding of elections based on the new constitution in 2011; however, Prachanda's resignation on the issue of sacking of General Rookmangud Katawal and resurfacing of political divisions has cast serious doubts on the timely drafting of the new Constitution and the holding of the elections. The parties presently in power appear determined to prevent integration of Maoist cadres into the Nepal Army, a stance in common with the leadership of the Nepal Army. This seems to have pitted the Maoists against not only the Army but the political parties as well. There is no clarity as yet on a couple of important points like the political delineation of the Terai, demands of

Limbuwan and Tharuwan etc. Political instability in Nepal continues as Maoists press for establishment of supremacy over the Nepal Army. The concerns of other groups have not been fully addressed, and other political parties are striving hard to maintain their relevance and the Maoists are not likely to fritter away the political gains made by them so far.

## Rise of Maoists

**8.** Having seen the Left Extremism within our country over the last forty years or so it is tempting to see the Nepali Maoists as mirror-images of Maoists in India but it would be a big mistake to do so. Whereas, in India the Leftist movement followed a rather neat trajectory, the Nepalese Communist movement started atomizing in the 1950s itself. As of today, there are five Leftist groups with representation in the Constituent Assembly in Nepal. Nepalese Maoists have had membership of the National Assembly for the last decade and a half and have a very well recognized leadership, which is not the case with Indian Maoists. There have been a radical group which has identified the weaknesses the Nepalese Parliamentary System after the first Jan Andolan with the realization that the Nepalese people want more fundamental changes in the political system rather than the change of rulers. The list of forty demands which they initially put forward may seem radical to some but, many of the demands like 'one-man one vote', civil society, greater representation of women and other deprived sections in the political process, increase in political representation of Madhesis, democratization of the Army, abolishment of Monarchy, declaration of Nepal as a secular republic etc were basically bourgeoisie democratic demands. The assimilation of Maoists has not been easy and the people of Nepal have paid a huge price.

**9.** Unlike other insurgencies in South Asia and other places, the Maoists managed to fight the Royal Nepal Army (RNA) to a stalemate. The RNA was unable to militarily vanquish the Maoists although it is true that the Army was also not defeated. Resulting in Prachanda introducing the concept of achieving political aims not through an armed struggle but by participation in the political process. Prachanda maintained this path, despite differences within the party. This change in the Maoist approach coincided with self-destructive initiative of the King to appropriate all powers to himself, thus bringing about a rare unity amongst the political parties against the Monarchy in early 2005. The understanding thus achieved by them resulted in intensification of the second Jan Andolan against the Monarchy and was instrumental in overthrowing the King and establishment of an interim Government and the holding of the subsequent Constituent Assembly (CA) elections.

10. Even within the Maoists there were several different opinions; where some people felt that disarming of the PLA may result in the establishment decimating the Maoist cadres like it happened in Indonesia and Chile in the past. This faction has been questioning the wisdom of leaving out the option of armed struggle. However, the Maoists at large have realized the desirability of abandoning the armed struggle in favour of political struggle. It is safe to assume that there is very little likelihood of the armed struggle resuming, basically because there is very little likelihood of PLA achieving the military results as they did during its earlier campaign. Hardliners of PLA advocate continuing the armed struggle till their demands are fully met. It is therefore essential that the PLA cadres are integrated with the NA. Nepal is at the cusp of democratic transformation and military brass calling the shots at this stage is not desirable. India should have avoided taking the side of the NA Chief during the latest crisis as the new political authority in Nepal is speaking the language of the NA leadership with regard to the integration of the PLA in the NA. This could create a dangerous situation and hurt the peace process badly.

### **Governance - The Key Issue**

11. The main reason for the Maoists being accepted by the people as a strong political force was the articulation of the basic demands of the common people or various neglected sections of the society by them. In a way, integration of the PLA/Maoist Combatants into the NA is an essential element of the peace process going forward. The delay in integration can result in distrust being created between the political parties and the Maoists and enable factions opposed to Prachanda within the Movement to attack his line of thinking. On the other hand NA may decide to 'go in for the kill' and try to decimate the PLA. An attempt of this nature will cause incalculable harm to Nepal and create a tremendous amount of instability. There is another danger lingering, i.e., atomization of politics in Nepal where various ethnic groups like Tharus, Limbus, Madhesis, among others can assert their identities and take up arms. **It would be in the interest of India to protect the unity and integrity of Nepal and to nudge the peace process forward.** The Maoists have not given up their goal of establishing a socialist Nepal. What they have given up is the means of armed struggle to achieve this.

### **Civil Military Relations**

12. Nepal has reverted to the situation that prevailed in 2006 as the Seven Party Alliance is in power and the strongest political force that emerged from the CA elections, i.e. the Maoists, are out of the government. Civil Military relations in Nepal were characterized by domination of the Palace in framing the security policy of Nepal and operational control of the Army by the King (despite the Army being technically under the control of the elected Government after the introduction of Multi-Party Democracy following

the 1990 Constitution). The Army leadership was often contemptuous of the political leaders and supported the King fully, even when he usurped total control of Nepal in 2005. Following the unexpectedly strong showing by the Maoists which enabled them to lead the new government and appoint a Maoist Defence Minister, the Civil-Military relations have followed a different trajectory. The main political parties and the President of the Republic have been supporting the NA against the Maoists. The latter also seem to have a hidden agenda which has only given rise to mistrust and misperception. In the past, the political parties and the Army were at daggers drawn, but have joined hands to thwart Maoists. The Army Chief is being prompted by the political forces to check the Maoists. Since 2007, a large scale reorganization of the Ministry of Defence is being undertaken with the help of British Advisers with a view to lay down civil-military demarcation of authority, working procedures as well as democratization of the Nepal Army.

13. The integration of PLA with the NA is an essential element for the peace process to go forward. The Maoists are unlikely to budge on the peace process until the integration takes place. The hard line factions within the Maoist Movement and the PLA have a rigid position on this issue. Integration of the Maoist Combatants into the Nepal Army has been agreed to by the political parties in power and the Maoists, therefore not adhering to the written agreement which is also now part of the Interim Constitution tantamounts to breach of agreement.

### **Military to Military Relationship; India & Nepal.**

14. The military relations between the two countries have existed for a long time. Till 1976 there was a military training team in Kathmandu which also had a role in the protection of the King, if required. The Royal Nepal Army (RNA) was generously funded by India and most of its weaponry and equipment were of Indian origin. In 1990, an agreement between India and Nepal envisaged extending an assistance of about Rs. 500 Crores, mostly grant, for modernization of RNA. Even during the counter-insurgency operations against the Maoists, the Indian Army helped and advised the RNA quite extensively since the latter was neither well equipped nor trained to fight against a well organized PLA. For the first time after 1976 a bi-lateral Security Cooperation Group between India and Nepal was formed and special training of the Nepalese forces on the Indian side of the border was organized. After Royal Coup in 2005, all equipment supplies to the RNA were stopped. However, counter-insurgency training of the RNA continued. Even otherwise, army to army relationship continued and Gen Katawal was made an honorary General of the Indian Army during his December 2007 visit to India- as per tradition. Despite all the help that the Indian Army has been extending to the NA, the latter has often been

critical of India on some issue or the other and has also not refrained from playing the 'China Card'. Privately, the Nepalese Army Officers are very warm with their Indian counterparts. However, given the present situation, and a very strong Indian ex-servicemen lobby within Nepal, we need to maintain good relations with the Nepal Army. The third largest external remittance coming into Nepal consists of the pay and pensions of serving and retired Gurkha soldiers of the Indian Army. Several welfare projects are also undertaken by us for the Indian ex-servicemen in Nepal and there is a realization that we must nurture this constituency. There are reports that the Chinese have been wanting to train the Nepal Army and some exchange of high-level visits have taken place and some agreements signed.

15. Nepalese Prime Minister, Mr. Madhav Kumar Nepal has been meeting various political leaders including Prachanda, to find a way forward. The minimum that the Maoists want is a discussion in the Constituent Assembly on the subject of sacking of the Army Chief and President's orders to revoke the sack orders. There are chances of a compromise solution being found. There is likelihood of a Constitutional Amendment laying down civilian supremacy over the Nepal Army in clear terms. Gen Katawal will retire at the end of July and for the first time ever an officer from Jan Jatis, Gen. Chatarbaan Gurung will be taking over the post of the Chief of Nepal Army. Gen Khadka Bahadur who was designated as the next Chief by Prachanda has now been nominated as the Security Adviser to the Prime Minister paving the way for Gen Gurung to ascend to the post of Chief. Some senior officers of the Nepal Army admit that they share some beliefs with the Maoists such as not believing in democracy, not wanting Nepal to be too close to India and wanting closer relationship with China.

### Indo Nepal Relations & China Factor.

16. Despite the changes in Nepal's leadership from time to time, certain things haven't changed, even from the pre-independence period like the geopolitics of Nepal, overwhelming dependence on India and the desire to play the 'China card'. The insecurity that Nepal feels is essentially of the vast presence of India. The insecurity that India feels is because of the possible involvement of Pakistan or China in Nepal and the open borders. Some new factors have now emerged which make the relations more problematic. One factor is the rise of Maoism, which has resulted in people of Nepal forcing the political parties to take extremist positions and the Central Government losing the capacity to control the events and meeting the aspirations of many newly-assertive groups. Rise of Madhesi power, in a way is a welcome development after decades of their marginalization and discrimination, despite no recognition from Indian Government. The Government of India will now have to deal with this political reality.

17. The end of Monarchy is unlikely to be reversed. The Nepalese Army is becoming assertive again and has joined hands with political parties. It is thus a situation of the Maoists v/s the rest. Having been politicized and manipulated by various governments including the Maoists, the other

institutions of the state are virtually non-existent. Except for Prachanda, there is no political leader acceptable throughout Nepal. Political parties are rife with internal dissensions and there is a spectacle of two standing armies in one country. All these factors do not give rise to optimism that everything will become normal very soon.

18. China seemed to have realized the limits of its power projection through Nepal and has kept away from assuming a more prominent role in Nepal to the extent that they had advised Mr Manmohan Adhikari who wanted to visit China first on assuming the Premiership in 1995, to visit India first. At that time they had shown visible sensitivity to Indian concerns. This sensitivity is no longer apparent. Possibly because their changed perception of Nepal which is increasingly seen as up for grabs. The Chinese also believe that India does not have the political will to robustly challenge China's projection of power in our neighbourhood.

19. Prachanda on assuming post of Prime Ministership undertook first visit to China, conveying a very strong signal of political intent. Chinese presence in Nepal is for real and it has to be taken seriously. The moot question is what should India do in such a combination of circumstances. It depends on our priorities and objectives in Nepal. Are we looking for a peaceful, stable and prosperous Nepal or a Nepal friendly and aligned with India, i.e., a Government friendly to India? In the latter case, there may be more violence and disruptions because the Maoists suffering from political insecurity will be in opposition. If on the other hand we want a Nepal which is peaceful and stable, then we will have to settle for an accommodation with the Maoists and such a Nepal may not necessarily be friendly. The geography dictates that the India-Nepal relationship can never be diluted beyond a point. Nepal, of course, would like to benefit more, economically and politically, by associating with China; a sovereign right that cannot be denied. Instead of harbouring insecurities about closer Sino-Nepal relations and creating negative dynamics in our bi-lateral relationship with Nepal it would be much better to be confident. The logic of geography and ethnicity are such that the nature of India-Nepal relations cannot be replicated by Nepal-China tie-up.

20. Nationalism in Nepal is a fact of life and unfortunately this nationalism is not of a constructive but of a self-destructive kind which ends up harming Nepal. The prospect of having a greater military to military relationship, intelligence and water resources is becoming more and more distant each day. If India wants Nepal to be friendly for the reasons of our security interest, then there are no easy options available. We will have to be inclusive, we have to be proactive and we'll have to put up with a lot of anti-India sentiments. We need to have stamina to deal with adverse situations as they unfold and have to define our interests clearly. The myth of impenetrability of Himalayas having already exposed, we now definitely have a chance of securing the Terai and manage the expanding Chinese influence towards India. We need to review the security paradigm. It is difficult to visualize a stable, peaceful and prosperous Nepal for the next ten years, on basis of situation prevailing presently.

## India's Options

21. Development of Nepal should be given due importance in our policies as desired by Nepalese political parties. The government to government relations will have to have a much lower profile. The security concerns of the Indian Government will have to be put on the backburner. **The focus should be on building up of economic institutions, helping to make Nepal's democracy work, keeping everyone on board and not being partial to any group and encouraging greater participation from the private sector.** We should permit easier entry to Nepal's exports to India which is unlikely to have any adverse implications for the Indian economy. But would help improve Nepal's economy. Even in case of hydro-electric projects, the Government should let the private sector take the lead and procure power from them through the open-bidding system. This will be seen as an open and fair system by the Nepalese people and they will sign these agreements. After the Maoists came to power, a lot of anti-India sentiment is reflected in attacks on Indian establishments. Perhaps the Maoists are waiting for the political signals of recognition from New Delhi.

22. India faces many challenges in its relations with Nepal. India wishes to see political stability in Nepal apart from the emergence of a well balanced multi-party democratic system which succeeds in fulfilling the aspirations of the common people. India needs to be assured of continued pro-India alignment of the Nepalese Government. India is also interested in maintaining primacy vis-a-vis Nepal's relations with China.

23. As regards India's policy options in Nepal it will continue to lend support to establishment of peace, stability and democracy in Nepal, working through democratic formulations in Nepal with multi-party panels rather than single party support mechanisms. A review of the 1950 Treaty based on current realities is in order without compromising core interests, along with continued support for a fair trade and transit treaty. **India must learn to balance its political interventions for it cannot ignore the Maoists and their threat to our country. It also needs to help manage people to people relations in an effort to bring down incidences of anti-Indian sentiment in the Nepalese society.** It needs to help resolve the boundary and water issues with internal political consensus in India. India must also be vocal about its support to Nepal to help in institution building and information management.

24. All important actors in Nepal have been pragmatist to a degree. Even at the height of Jan Andolan-II, when the King was seen as a common enemy by all political parties, the Maoist leadership such as Prachanda and Babu Ram Bhattarai were in touch with the King. This suggests that coming together of Maoists and the Nepal Army at some stage cannot entirely be ruled out.

25. The Madhesis themselves have been making and breaking deals with all other forces in Nepal in turn. Some of the most virulent anti-India statements were made by Mr. Upendra Yadav, the erstwhile Foreign Minister of Nepal. The Maoists and the mainstream political parties are all united in their resolve not to accede to demands of Madhesis to form Madhes State. Demands for Limbuvan and Tharuvan are most likely orchestrated by the Maoists and other political parties to counter this demand.

26. It must be realized that the new Government has nothing to gain from confrontation with the Maoists on the subject of integration since it has already been agreed upon. The political parties represented in the present Government will be completely wiped out in the next elections in case they create fresh political discord and conflict in the country. **There is every possibility of Prachanda emerging as an undisputed leader of Nepal in the next elections despite or rather- due to the fact that hard line element within his own party as well as the Nepal Army and leaders of other political parties are trying to isolate him.**

27. Although the Chinese are expanding their profile in Nepal, it is also true that they are paying attention to their relations with India as well. To them, Tibet is the main concern. **As long as Nepal is not used for helping Tibetans, which the Chinese suspect the Americans are doing, and if India doesn't go too close to America, then the Chinese will most likely not provoke India beyond a point.** India has all the geo-political advantages in Nepal but she must have a clear agenda.

28. India and Nepal have an old, continuous and deep historical, geographical, cultural, social, economical and political relationship coupled with more than 1800 kilometres of shared border. Therefore, India will have to take Nepal along on its path to progress. **A Nepal that is left behind will always tug at India's wings. The natural geographic barriers to India's political heartland lie not along Indo-Nepal border but along the Northern borders of Nepal.** Hence, a stable and friendly Nepal is a necessity for India's security.

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Views expressed in this paper are those of the panelists and do not represent the views of the CENJOWS.

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