



THRIVING AMID THE THREATS

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Barghar system: Under the state law's shadow in REDD+ program in Nepal

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The Barghar system is a customary institution of Tharu indigenous community of Nepal. The naming of this traditional self-governance system varies across the country – Barghar system in Bardiya, Mahtawa system in Dang, Mukhiya system in Bara, Kakandar system in Deukhuri of Dang and Barghar/Bhalamansa in Kailali.¹ Irrespective of this, the Barghar system is deeply ingrained in Tharus' socio-cultural affairs. Historically, the Tharus have sustainably managed natural resources, including forests, through this institution. Currently, the national laws do not recognize customary institutions and customary rights in Nepal. This is also reflected in the lack of the state's attention to, and space for, this age-old institution in the country's ongoing REDD+ program.

Who are Tharus?

Nepal is ethnically a diverse country. The Nepal government has listed 59 ethnic groups as indigenous peoples. Among the indigenous communities of Nepal, the Tharus population is 1.73 million of Nepal's total

1. Chaudhary, Nathu Ram (2021). "Barghar System in Transition: Experiences from Dangaura Tharus of Western Nepal". Scholar's Journal; Scholar's Association of Nepal.

26.4 million population.² Tharus are considered one of Nepal's ancient inhabitants who live across the country's southern plains, known as Terai, and their population is concentrated in Terai districts, such as Bara, Dang, Bardiya and Kailali. Tharus are a historically marginalized indigenous community. Majority of these indigenous peoples were laborers such as Kamaiya (bonded laborers) and Kamlari (servant girls) in the past. Tharus are nature worshippers and have symbiotic ties with the nature.

As a village chief, the Barghar acts as a traditional community leader, resolves conflicts in the community, mobilizes resources, oversees cultural rituals and carry out administrative functions.



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Barghar system in de facto status

Within Tharus, a Barghar is a 'village head'. The role and responsibilities of a Barghar is passed down from one generation to another, orally. As a village chief, the Barghar acts as a traditional community leader, resolves conflicts in the community, mobilizes resources, oversees cultural rituals and carry out administrative functions. Barghars are nowadays elected or nominated through consensus usually during the Bakheri (village assembly) on Maghi for one year. There are other positions to assist a Barghar in the performance of his/her duty such as Likhandar (who maintains documentation), Guruwa (responsible for religious and cultural ceremonies) and his deputy Kesauka, Chirakya (who assists in cultural activities and festivities) and Chaukidar (messenger).

The Barghar system is a de facto institution that manages overall social affairs in Tharu villages. A Barghar during the FGD shared: "We have historically

managed our forests and religious sites and other affairs in our community through our Barghar system. For everything such as construction and development works, celebration of festivals and observance of cultural rituals and management of local forests, ponds and rivers, we were led by Barghars. Even today, government agencies and other organizations need Barghars to mobilize resources in Tharu villages. Such is Barghar's role in community mobilization. Furthermore, we want the Nepal government to do

development works and manage forests us and our institution in our areas."

Customary rights, and customary institutions like Barghar system are widely acknowledged under international law. However, in Nepal, these rights and the role and significance of customary institutions have been superseded by the existing national laws. A Barghar activist during the key informant interview opined: "Barghar institution is far from the state's attention and priority. It is the duty of the state to recognize indigenous peoples' rights, including customary rights, as Nepal is a state party to ILO Convention 169 and a signatory to the UNDRIP." Recently, as per the spirits of Nepal's new federal constitution and in line with some provisions under the Local Governance Act, 2074, 15 local levels³ that

3. Barabardiya Municipality, Basgadi Municipality, Madhuwan Municipality, Thakurbaba Municipality, Rajapur Municipality and Bahraiatal Rural Municipality of Bardiya; Joshipur Rural Municipality, Kailari Rural Municipality, Tikapur Municipality and Janaki Rural

2. Central Bureau of Statistics, 2012.



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have dominant Tharu populace and that are led by Tharushave enacted their Barghar Acts. And more local levels are following suit.

Cast out from current REDD+ program

The World Bank's Forest Carbon Partnership Facility (FCPF)-funded Emission Reduction Program (ERP) in Nepal is currently being implemented in 13 Teracontiguous districts⁴ where Tharu population is concentrated. This REDD+ piloting project started in 2018 and will go on till 2028. As a state party to United Nations Framework Convention on Climate Change (UNFCCC), Nepal is bound to recognize and respect the rights, including customary rights, of indigenous peoples in its climate actions⁵ and Nepal should respect customs and customary rights of indigenous peoples while implementing its national laws⁶, and should ensure the rights of indigenous peoples over land and natural resources traditionally owned, used and controlled by them and obtain free, prior and informed consent (FPIC) from indigenous peoples⁷. Tharus are one of the largest local populations in

the ERP area⁸. However their customary institution, Barghar system is totally overlooked in the entire ERP in terms of its historical contribution, inclusion and representation, customary rights, benefit sharing and grievance mechanism.

Sustainable conservation of forest is one of the five pillars of a REDD+ initiative. The basic mantra is, the more forests the more carbon the forests can sequester. Community forestry, touted as a most successful forestry program from Nepal, as at the core of the REDD+ program. The government has ambitions to expand the community/community-managed forests to meet its ER targets⁹, as stipulated in ERP¹⁰. On the flip side, community/community-based forestry introduced in Nepal some three decades ago has taken over all customary forests that were already facing existential crisis after the Nepal government nationalized all forests in 1957. These developments obliterated the role and relevance of customary institutions such as Barghar system.

A Barghar activist during the key informant interview said: "The forests traditionally owned, used and controlled by Tharus are now under community forestry

Municipality of Kailali; Shuklaphata Municipality, Laljhadi Rural Municipality, Belauni Municipality, Krishnapur Municipality of Kanchanpur; and Tulsipur Sub-Metropolis of Dang.

4. Districts to the east of the Bagmati river: Rautahat, Bara, Parsa, Chitwan, Nawalpur, Parasi, Rupendehi, Kapilvastu, Dang, Banke, Bardiya, Kailali and Kanchanpur.
5. Cancun Safeguards, CoP, 16, 2010; Paris Agreement, COP 21, 2015.
6. International Labor Organization Convention No. 169.
7. United Nations Declaration on the Rights of Indigenous Peoples, 2007.

8. As per the Emission Reduction Program Document, 2018, indigenous peoples are the largest group (31%) in terms of local population.
9. As per the ERP, 2018, the total ER target is 34.2 MtCo2e over the 10 year life span of the ERP.
10. Emission Reduction Program Document, ERP in short, is the 253-page main proposal document that the Nepal government developed and submitted to the FCPF of the World Bank in 2018, for implementation of the ERP.

under Nepal's forestry law. At present, it is hard to know how much forestlands were under Barghar system in the past as there is no official documentation. Such customary land and forests have not been inventoried neither by the state nor anyone else. The fact for now is that all customary forests governed under Barghar system have turned into community forests. We, Tharus, consider trees as the abode of our deity. As per our spiritual belief, we treat trees as living beings and preserve them. We only extract a certain portion from a tree for our use. But now the community forestry is only promoting commercial interests.”

The ongoing Emission Reduction Program (REDD+ program) has completely failed to take the Barghar institution onboard. One Barghar during the key informant interview shared: “We are not aware before that this program (REDD+) is taking place in our area. No forest office nor the community forest (user group) has informed us about this. Nobody has consulted us and asked us for our opinion on the project. We also don't know if they (the community forest user groups) are distributing money from this project. We don't have our institutional representation in this REDD+ program nor the community forest user group. It's so sad that so much (REDD+ activities) is happening in our settlements and we are not in the know.”

Conclusion

All that are happening on the ground with Tharus with regard to the ongoing ER Program are in stark contrast with what have been provisioned under international law, particularly, the ILO Convention 169

and the UNDRIP. Moreover, Nepal's REDD+ Strategy 2018 stresses on the recognition and integration of customary knowledge and rights as per international legal standards, while Nepal's Emission Reduction Program Document (ERPD) states that the ERP interventions will also provide important opportunities to improve the recognition of customary rights and practices through the development and/or updating of forest management plans under different forest management regimes. The ERPD also acknowledges that certain forested areas are managed by Tharus in almost all ER Program districts. In line with FCPF proposal requirements¹¹ that the Benefit Sharing Plan (BSP)¹² states that customary practices in ERP area will be inventoried, forests area under customary management will be mapped out and benefits from carbon trade will be shared accordingly. The Environmental and Social Management Framework (ESMF) of ERPD makes references to and pledges compliance with all pertinent international laws and agreements on the rights of indigenous peoples, however, in practice, indigenous peoples including Tharu and their Barghar institution are literally given no space or attention in the ER Program. The main reason for this is that the state's laws, particularly the forestry law and regulations, in this instance, last amended in 2019, does not recognize customary rights and institutions, which means customary institutions

11. Particularly the Carbon Fund's Methodological Framework/Management Team Note Decisions.

12. Nepal government developed the Benefit Sharing Plan as a pre requisite for signing Emission Reduction Payment Agreement (ERPA). The government signed the 45m USD ERPA in 2021.



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like Barghar system are left out in the ERP process of Nepal, in terms of its participation and representation and self-determination as well as equitable benefit sharing in the program.

Recommendations

- The government should harmonize its national laws as per its international commitments relating to customary rights and practices.
- Promulgation of Barghar law by more local levels would reflect wider popular will for recognition of Barghar system. Regulations and procedures should be in place to execute these local laws.
- Nepal's ERP should be participatory, consultative and representative in the process and equitable in benefit sharing for Tharus/Barghars and other indigenous communities.
- In the ERP area, Barghar practices should be inventoried and forests under the customary institution should be mapped out.
- Local Barghar practices where relevant should be integrated into ERP mechanisms including the grievance redress mechanism and forest monitoring information system.

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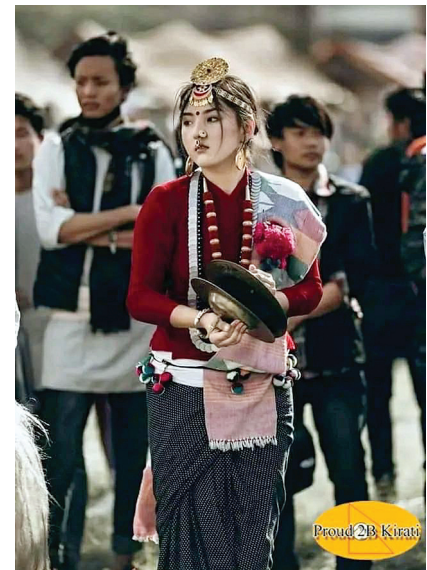


Introduction

I was born in Ilam, a small town in eastern Nepal. There is my mamaghar (mother's natal home). I spent some of my childhood there. In the family, there were my grandmother and uncles. I got my very first pewa (a special belonging to oneself) from my grandmother when I was not even seven years old. She gave me and my cousin (we two were the only girls in the family), each a cow as pewa. Since we were too small to take care of our pewa cows and as our parents were busy with their own work, my grandmother and uncles decided to give my cow to someone in the village willing to rear it on adhiya. We used to make some money from the sale of milk and calves from the cow once in a while. We used the money to buy stuff that we wanted to have. So, this was my first experience with pewa. Providing livestock and poultry as pewa to a girl child was common among the Rai, Limbu and other indigenous communities.

Pewa is commonly understood as a woman's property or property earned by a girl/woman. Since it is earned by a woman, no other persons hold any right to it. This institution of pewa is common in Nepal in all ethnicities; however, I have seen that this practice is the most prevalent among the indigenous communities.

In the indigenous community, pewa is an institution to empower and educate girls/women. The pewa system can be taken as a practice that bestows on girls/women the right over movable property and income earned by them. Traditionally, the indigenous community used to have communal rights over their lands (for instance, the Limbu, Rai, Yakkha, Lohorung, Aathpahariya Rai and Lapcha communities had communal ownership over their lands called Kipat). A communal land may include a homestead, farmland, pasture, forest, river, and lake. Most of the indigenous communities are patrilocal which means women have to move to their husband's house after



Pewa system: A mainstay of indigenous women's economic life

Sirjana Subba



Case 1

Pricila Dewan is a farmer's daughter in her thirties. There was enough food in the household but there was always a shortage of cash. However, her parents always set aside some chickens for her and her sisters as pewa. From an early age, she learned to take care of chickens. Since her family has always been keeping poultry and other animals at home, it was easy for her to take care of her chickens. She took care of her chickens along with the family's. When a chicken gets sick, her parents help her to treat it as the disease could become contagious to other chickens. She also learned to breed more chickens. Whenever she needed cash for stationeries, educational tours, or picnics from school, she could afford them by herself by selling her chickens and, sometimes, eggs. She never has to ask her parents for money for her personal expenses. She kept the record of her chickens, eggs, income, and expenses. She became financially independent from a very early age. She is proud that she was independent from her very early age.

marriage. As a woman moves to her husband's house, they could not take land with them, however, they could take their movable property with them. The movable property includes pieces of jewelry, livestock, poultry, furniture, cash, and other valuables. So, indigenous women regard pewa as their personal property that they have the rights and control over.

Pewa could be anything such as cash, livestock, jewelry, and even a share of grains from the new harvest. In exceptional cases, women are even provided with land as pewa. Earlier, Nepal's law did not provide equal inheritance rights to women as that to men. Hence,

women were excluded from getting an equal share of land as men from their parents. However, most of the indigenous communities practiced pewa as a way of giving movable property to daughters. Women in their natal home were provided with some pewa and investment funds.

With the funds, women would engage in different kinds of economic activities. The earnings from the economic activities are also considered as pewa.

I have heard some people interpreting pewa in a very narrow sense, as a gift from a woman's natal home. However, for indigenous women, pewa is not merely a gift but something that is also associated with the right and duty of parents to their daughters. It is very important for parents to give their daughters some pewa because it is related to the prestige of the family. It also shows the financial and social status of the family.

When a girl comes of age and is able to take care of herself and others, her parents put aside a livestock animal or chicken for her as pewa. It will now be her duty to take care of her pewa. If she can take good care of it and generate some income from it, then the income will belong to her. No one can claim her income, not even her own parents who provided her the pewa. It will be her sole income. She can use it according to her will.

Pewa is very important in women's lives in terms of economic empowerment. The pewa system is also a socialization process, through which girls/women learn life skills and lessons.



PHOTO: TUNGA RAI

An educational process

Pewa is an educational institution in many ways—an institution through which a girl/woman learns about rearing animals, making the best use of money, finding an income source of her own, and making decisions independently. The education she gets from the pewa practice is based on her own observation and personal experience rather than something taught by others like in school. A girl/woman learns these things through socialization, participation, and experimentation.

In the village, it is common for each household to rear livestock and poultry. Almost all indigenous peoples' economy is based on agriculture except for a few communities. Children grow up looking after the farm animals and engaging themselves in agricultural activities all the time. They are given small tasks according to their age, such as feeding chickens, keeping birds away from eating fruits and grains, bathing buffalos and helping in cleaning coops, and so on. From an early age, children follow their elders.

For instance, when a girl gets a farm animal as pewa, first she learns to take care of it. She gets guidance from her elders as to when to feed it, bathe it, walk it, etc. Someone who is experienced in the family tells her what to do. When the animals get sick, elders will treat them. She learns about animal treatment by observing and also asking questions when there is anything she does not understand in the process. She makes sure that she will take on herself to make medicine next time. If she fails, she can do it again with guidance from her elders. Similarly, she learns about the reproductive cycles of animals. Learning how to increase the number of her pewa animals allows her to make more money by selling them.

As I mentioned earlier, pewa could be anything from cash to kind. I heard that my mother got some crops in pewa from the new harvest from her parents. She said that she used them for a picnic with her cousins and friends. Some girls/women use pewa crops to brew liquor. Liquor is another important source of income among indigenous women. Brewing liquor needs the right knowledge and skill. The indigenous knowledge

Case 2

Radhika Rai is a widow. She was always financially independent. Even after her marriage, she reared cattle and poultry as her pewa. Due to her habit of keeping pewa, she never had to ask for money from her in-laws. Now, she is in her sixties. She brews liquor, rear pigs, and chickens, and she also has a small shop. She attributes her financial independence to her pewa. She has a financially secure life in her old age.



PHOTO: TUNGA RAI

has been transferred through generations for centuries. It takes a long time to learn about the process of collection of grains, fermentation, and decantation. Similarly, it requires special knowledge about the herbs to make yeast cakes for fermentation. Some women even sell yeast cakes as many people could not make them on their own. Those women who make very good yeast cakes are immensely appreciated in the community.

While practicing pewa, a girl learns about keeping the record of her belongings and economic activities. She practically learns to keep the account of details, such as how much she invested, how much profit she made, and how much she can invest for further initiatives.

It is a girl/woman who decides what to do with her pewa. Normally, family members do not interfere in the decision-making process. Rather, they show her different options where she can invest her pewa or any income from it. In this way, through the pewa practice, she learns to make her own decisions.

Decision making

Decision-making is another important skill one needs in his/her everyday life. Decision-making needs critical thinking. One needs to make decisions in each and every step of life. It may be as simple as what to cook for the dinner to a serious decision like whether to stay in a marriage or get a divorce when in an abusive relationship. In indigenous households, most decisions are taken by women (i.e., mother or grandmother). The

Case 3

Lata Rai is a married woman in her fifties. She never had pewa before her marriage. This is because she grew up traveling different places as her father was a serviceman who used to be posted at different places and the family would accompany him. Some years after her marriage, she managed to get herself a piglet from the savings on her household expenses. She looked after her piglet with support from her in-laws as she had never raised a piglet. The piglet grew up and gave birth to more piglets. From the earning she made from selling the piglets, she made some gold jewelry. That was her very first experience of having pewa.

decisions could be about when to plant crops; when to harvest; when to summon the priest and make offerings to the gods and ancestors; when to provide pewa to daughters; and so on. Traditionally, in most of the indigenous communities, males look after public affairs whereas females are responsible for household works. So, a girl learns basically from her mother and grandmother. The socialization of girls plays an important part in their learning about decision-making.

After marriage, it is expected for a girl or woman to have good decision-making skills. To run a household smoothly, a woman's decision-making skills are very important. In the past, many of the indigenous communities used to choose a bride older than the groom. Ranadhoj Shreng, a Limbu shaman in his late sixties, told me that the groom's mother used to choose a bride and, most of the time, the bride was older than the groom. Giving his own example, he said that his own wife was eight years his senior. She was chosen by his mother. According to Ranadhoj, the main intention of marrying an older woman was that such a woman would manage the household properly.

As I mentioned earlier, girls are expected to take



care of their pewa and even expand it. Since it is her sole responsibility to take care of her pewa, she has to make time for it. If she has to attend functions or events, then she has to ask her siblings or relatives to look after her pewa in her absence. To make this kind of arrangement, girls need good management as well as decision-making skills. It is up to the girls whether to raise or sell their pewa animals or breed them more. I have seen that most girls in the village would like to breed their animals more so that they can have more animals for breeding as well as selling. That would fetch them more money. The girls are not forced to do so but they do it willingly. The decision to sell animals or breed them depends solely on the girls but their elders might offer them suggestions every now and then.

That how to use the income generated from the sale of their pewa animals is solely the girls' call. They can use the money however they like. They might like to start a business or buy things or pieces of jewelry. From an early age, Pricila invested her money in her education whereas Radhika saved it for her old age. Still, there were others who spent their money to meet family expenses.

Economic empowerment

Economic empowerment is the most important aspect of the pewa system. I previously mentioned that women gained financial independence through pewa. It may start as a token in terms of investment funds but it can generate enough income if women or girls spend their time and energy in it. Lal Kumari Roka Magar, a friend of mine, told me that her unmarried aunt has bought a house, land, and jewelry in her village, with her pewa. She said that she had not practiced pewa herself but Magar women could ask their parents for some money as pewa to invest in a business and her aunt did so. Now, her aunt has enough savings for her old-age expenses.

Pewa could be an important source of income for a family as well because women always tend to share their earnings with their families. However, women's income is hardly considered a main source of income, especially in the patriarchal society. However, women have more say and better status in the indigenous communities compared to the non-indigenous, Hindu society.

Indigenous women are mostly engaged in livestock rearing and poultry farming. This has been a common trend among indigenous communities for generations. Another important income generation activity for them is brewing liquor. Indigenous communities in Nepal are historically known as matwali which means liquor drinkers. Liquor is an important aspect of indigenous

peoples' culture in Nepal. In indigenous communities, liquor is consumed in every feast and festival. Thus, it is a valuable and easily sellable product for them.

Many indigenous communities have the practice of giving a small share of grains from the new harvest, to their daughters. Bimala Sunuwar, an entrepreneur and activist, recalls that her parents provided her with some crops as pewa. Lal Kumari Roka mentioned that she received a portion of the new crops as pewa. Also, my father reminisced that his mother separated some portion of crops (rice, millet, corn, etc.) for his sister as pewa. Women make liquor from millet, corn, and wheat. They even use rice to make liquor if there is an abundant amount of rice or the quality of rice is low. Rice is the main food crop for the families and, hence, they prefer not to use it to make liquor until and unless it is of low quality. I have seen Uzuna and Radhika using low-quality rice to brew liquor. But when they had to make good quality liquor, they go for millet. Making millet liquor has another advantage, i.e., the residue from brewing liquor can be fed to pigs. Hence, those women who brew liquor also rear pigs. Besides, pigs eat most of the kitchen's waste and thus it helps women to manage garbage from their kitchens. Among the animal manures, pig manure is considered to be of the best quality. Thus, their one undertaking supports another.

Now, investment opportunities are plenty. Younger generations are investing in ventures other than rearing livestock and poultry and brewing liquor. They are starting up small businesses, such as shops, restaurants, agricultural farms, and so on. Through these economic activities, women meet their financial needs and even support their families. For indigenous women, especially from rural areas, pewa is a means of economic empowerment. It provides them with security as well as support in times of need. It makes them financially independent.

Legal status of pewa

Daijo (dowry) and pewa are defined in the Chapter of Striang sadhana (Women's Inheritance and Wealth), No 3 of the National Code as "All movable and immovable properties given to a woman by her natal family, her mother's natal family and other relatives and friends as well as any increment in these properties are daijo. (Pradhan, 2018). According to this legal arrangement, women hold the ownership and control over their pewa. No one, especially in-laws, can lay claim to a woman's pewa in the family. In a patriarchal society, women need the consent of their husband and/or son to sell the property from their husband's inheritance. However, this does not go with pewa. As per the law, a pewa holder does not need to take consent from any



Case 4

Uzuna Thulung is a mother of two children and she is in her late twenties. When her children grew up and started going to school on their own, she started brewing liquor at home. Her husband used to sell it to local restaurants and neighbors. From the savings she made from selling liquor and with support from her husband, she opened a small shop in the village. She is now able to make a small income from her business. The income is enough for her to run her household, buy things for her kids and for herself.

male member of the family to sell any property gifted to her as pewa. Due to this legal provision, pewa holds significance for women as to their rights are concerned.

Among the indigenous communities, pewa is more of a moral code. There is no law that girls /daughters must be provided with pewa, however, most households give pewa to their daughters on the moral grounds. It is a matter of the family's prestige. If daughters are not given proper pewa, the community will look down upon the family.

Hence, parents feel compelled to provide pewa to their daughters. Similarly, it is very important for them to protect their girl's spewa. They cannot misuse the pewa or use it without her permission. There is a beautiful folk story among the Limbus regarding pewa. It goes like this:

Case 5

Chepong community plants a chiuree (diploknemabutracea) tree after the birth of a daughter in the family. After marrying off their daughter, the parents gift her a chiuree tree as dowry or pewa. When the chiuree tree starts bearing fruit, the natal family invites the daughter to harvest the fruits. The pulp of the fruit is eaten raw. The seed is more valuable. Seeds are used to make butter and can be sold in the market at a good price. Similarly, the chiuree fruit's skin is used for fishing. It contains poison that can kill fish but that is not harmful to humans. Similarly, the fruit has medicinal properties that prevent and cure skin diseases. So, for Chepong women, the chiuri tree is a valuable pewa.

There was a girl from Angbuhang clan who used to rear a pig (her pewa). Her pig was very healthy as she took very good care of it. One day when she had gone somewhere, her brothers saw the big, healthy pig in the pigpen. Their mouth watered. The boys butchered and ate the pig. When their sister came home, she did not see her cherished pig and started looking for it. She found the remains of the pig and asked her brothers what had happened to her pig. They told her that they ate up her pig. She was furious with her brothers for eating her pig without asking her. In fact, the pig was a pewa gifted to her by her parents. She was sad about what her brothers did. When the boys saw their sister sad, they realized what a prized possession her pewa pig was for her. To make their sister happy, the boys went over to their sister for forgiveness and vowed that they would never eat pork again. From that time, Angbuhang clan stopped eating pork.

The Angbuhang clan of the Limbu community still does not eat pork as a self-imposed punishment for eating their sister's pig without her permission. In the Limbu community, the rule that family members must not use pewa of their daughters/daughters-in-law is strictly adhered to. If they must use pewa, then they must properly compensate for the pewa to its rightful owner. It does not matter whether pewa is big or small, one must get permission before using it and duly compensate for it. Such compensations can both be made in cash or kind.

Not only the Limbu community, but other indigenous communities also strictly follow this rule. They do not use pewa without consent of and proper compensation to its owner, and this is how women's property remains intact. Lynn Bennett, an anthropologist, observed that women belonging to various ethnic groups such as Limbu, Kham Magar, Rais, Tamang have more control over their personal property (i.e. pewa) (Bennett, 1979).

Conclusion

Pewa is an institution through which indigenous girls

are socialized. This is an educational process that equips them with life skills required later in life, such as the skills to take care of livestock, manage time and make investment decisions. Pewa is also a tool that enables them to be involved in economic activities. It gives them an opportunity to explore and engage themselves in different income generation activities. It helps them make investment decisions and secure their future financially at large.

With time, the Pewa system is diminishing due to various factors, such as urbanization, migration, globalization, the influence of Hindu culture, and modern school education, that have failed to value indigenous peoples' traditional practices over modern occupations and lifestyles. There are instances where due to Hindu hegemony, indigenous cultural practices have been looked down upon. For example, liquor is necessary for indigenous peoples in their important occasions and life events; however, the sale of liquor is taken as an offensive act. In some cases, Sanskritized and Hinduized indigenous communities follow the Hindu culture and have thus forgotten their own culture. A migrating family also tends to relinquish their original culture as the family does not get a proper environment to practice it at the new place.

Modern education does not put much value on vocational training, especially those provided at home. Hence, the pewa practice is in decline. The number of people familiar with the pewa system is decreasing. Even those in the know are not being able to transfer the knowledge to younger generations.

There is a need to do an in-depth study on the pewa system in different indigenous communities, make the communities aware of its positive aspects and help elders transfer the knowledge to younger generations. The pewa system should not necessarily be seen as something that only exists in rural settings. Even in growing and competitive market economies, the pewa system can be well-practiced. If educated properly, children will understand the importance of the pewa system in a family's economic affairs and will learn to earn and invest from a very early age. The pewa system has a broader scope in improving indigenous peoples' economic status.

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विषय प्रवेश

नेपाल सरकारले आदिवासी जनजाति भनी सुचिकृत गरेको ५९ आदिवासी जनजातिमध्ये धिमाल एक जाति हो । वि.सं. २०२० सालमा औलो उन्मूलन नभएसम्म धिमाल बस्तीमा राज्यको उपस्थिति न्यून थियो । राज्यसँग धिमाल समुदायको बारेमा वि.सं. २००७ साल अधिसम्मको कुनै तथ्याङ्क छैन । २००७ सालपछिका दिनहरू धिमाल समुदायका लागि अभिशाप बन्दै आएको छ । जब २०२० सालमा औलो उन्मूलन भयो अनि भूमिसुधार र पूर्व-पश्चिम राजमार्गको निर्माण भयो । त्यो सँगसँगै धिमाल बस्तीहरूमा अन्य समुदायका मानिसहरूको बसाई क्रम तीव्र भयो । त्यस बेलाको विकासे सोच आर्थिक वृद्धिदर बढाउन तराईको पर्यावरणको प्रयोग गर्नुपर्छ भन्ने थियो । त्यसका लागि शाषक, नीति-निर्माताहरू र नेपाललाई सहयोग गर्ने दातृ निकायहरूले विकासे योजनाहरू अघि सारे । त्यसै क्रममा मोरंग बेलबारी क्षेत्रबाट वर्षौं-वर्ष अघिका बलिया सालका काठहरू वि.सं. २०३२ साल ताका धमाधम भारतमा ओसारिए । नेपालको त्यहि सालका काठहरूबाट भारतका रेलहरू गुडेका छन् । रेलका लिग मुनी बिछाइएका बलिया-बलिया सालका काठहरू सबै नेपालको वनका हुन् ।

स्थानीयहरूले बताए अनुसार बेलबारी क्षेत्रका घना जङ्गलबाट धमाधम रुख काटी काठ बनाई बयल गाडामा (गोरु गाडा) लगाएर ओसारेर डिपोमा थुपारे । डिपोबाट रातारात सिमाना (बोर्डर) कटाएर भारत पुऱ्याइन्थ्यो । आज भोली त्यस स्थानलाई सानो टुक्रे बजार लाग्ने भएकाले टुक्रे भनिन्छ । तर त्यसलाई टुक्रे भन्नु भन्दा अघि काठको गोलिया थुपार्ने डिपो भएकाले धेरैपछिसम्म

आदिवासी जनजातिको बिशिष्ट जीवनपद्धति र प्रकृतिसँगको अन्तरसम्बन्ध

धिमाल र बेलबारी वरिपरिको केही प्रसंग

नारायण राई
मोरंग



त्यस स्थानलाई डिपो/डिपु भनिन्थ्यो । त्यस बेला उक्त वन क्षेत्र मरभूमि जस्तै भएको उनीहरू बताउँछन् । यस किसिमबाट राज्यले तराई क्षेत्रको अथवा धिमाल क्षेत्रको वन विनाश गरिएको थियो ।

“बसाईसराइ गरेर आउने मानिसको पुनर्वासका लागि अमेरिकी र नेपाली सहकर्मीसँग मिली ठुलठुला ट्र्याक्टर र अन्य आधुनिक औजारहरूले हातीको घाँसे मैदान खन्न र जङ्गल फाँड्न सहयोग गर्‍यो । हामीले केही नसोची बाघ, हाती र अन्य जनावरलाई उनीहरूको बासस्थानदेखि भन्डै निर्मूल नै हुने गरी खेद‍्यौ । थारुहरूलाई उनीहरूकै रैथाने भूमिमा किनारीकृत गर्‍यो । अहिले सोच्दा त्यसबेला म त दोस्रो विश्वयुद्धको उत्तरार्धमा आएको ‘विकास’ को सोभो तर खतरनाक एजेन्ट पो बनेको रहेछु । त्यो गतिविधिले वातावरण र साँस्कृतिक एकतामा पर्ने नकारात्मक असरबारे कुनै चिन्ता नै गरिएनछ । ” यो माथिको पङ्ति अमेरिकी सरकारको सहयोगमा कृषि विस्तार कार्यक्रम ‘राप्ती भ्याली विकास परियोजना सन् १९५५’ मा नेपालमा युवा स्वयंसेवकका रूपमा खटिएका अमेरिकी

त्यस बेलाको मोरङ (त्यसताका सुनसरी र भापा पनि मोरङ क्षेत्रमा नै पर्दथ्यो ।) अथवा मोराहाङ क्षेत्रलाई धिमाल समुदायले आफ्नो उत्पत्ति थलो मान्दछन् । त्यसमा पनि विशेष गरी लेटाङको राजारानी स्थित धिमाल डाँडालाई ।

यो क्षेत्रमा औलो उन्मुलन हुनु, वन ऐन लागु हुनु, भूमि सुधार लागु हुनु, बाहिरबाट अन्य जातजातिका मानिसहरूको प्रवेश हुनु, शाषक वर्गको कर प्रणाली, विभेद र शोषण जस्ता विभिन्न कारणहरूले गर्दा सोभा र इमान्दार धिमाल समुदाय यस क्षेत्रबाट विस्थापित हुँदै गए । हाल नेपालको राष्ट्रिय जनगणना २०६८ अनुसार धिमालहरू कुल जनसङ्ख्याको ०.०९ प्रतिशत मात्र छन् । जसको परिणाम स्वरूप कालान्तरमा यस क्षेत्रको पारिस्थितिक प्रणालीमा नै असर पर्न गयो । उनीहरूले अपनाउँदै आएको प्राचीन प्राकृतिक ज्ञानहरूमा ह्रास आउन थाल्यो । जबसम्म मात्र धिमाल समुदायको बसोबास थियो त्यस बेलासम्म यस क्षेत्रमा प्रकृतिको पारिस्थितिक प्रणाली मिलेको थियो । जब उनीहरूको भूमि खोसियो । सरकारले उनीहरूको वनलाई राष्ट्रिय वनमा परिणत गर्‍यो । भूमि ऐन-जग्गा प्राप्ती



हाल नेपालको राष्ट्रिय जनगणना २०६८ अनुसार धिमालहरू कुल जनसङ्ख्याको ०.०९ प्रतिशत मात्र छन् । जसको परिणाम स्वरूप कालान्तरमा यस क्षेत्रको पारिस्थितिक प्रणालीमा नै असर पर्न गयो । उनीहरूले अपनाउँदै आएको प्राचीन प्राकृतिक ज्ञानहरूमा ह्रास आउन थाल्यो ।

कृषि मानवशास्त्री रबर्ट रोडस्को हो । उनले यो कुरा आफ्नो पुस्तकमा आत्मालोचनात्मक स्मरण भनेर लेखेका थिए (रोडस्, सन् १९३३, पृ.१३) (राई जनक, धिमाल दर्पण, २०७७, पृ.२३४) यस स्मरणले के कुरालाई अङ्कीत गर्छ भने एउटा विकास गर्ने कामले अर्को पाटोलाई असर गरिरहेको छ की भन्ने कुरामा विचार पुर्‍याउनु पर्दछ ।

महेन्द्र राजाको पालामा वि.सं. २०२१ सालमा भूमि ऐन आयो । जसको आधारमा भूमि सुधार कार्यक्रम लागू भयो । त्यो कार्यक्रमले धिमाल समुदायलाई आफ्नै भूमिमा भूमि हिन बनायो । राजा, रानी, राणा शाषकहरूले आफ्ना नजिकका नातेदार, भाइभारदारहरूलाई दिएको विर्ता, जागिर होस वा निर्धारित सीमित जग्गा प्राप्त गर्नुपर्ने नीतिको कारण वर्षौंदेखि उपयोग र संरक्षण गर्दै आएका धिमाल समुदायलाई सीमित जमिनमा किनाराकृत गरियो । त्यो सँगै त्यहाँ कर प्रणाली आयो । कर प्रणालीको महङ्गलाई र त्योभन्दा पनि ठुलो राणा, क्षेत्री र बाहुन जस्ता शाषकहरूको शोषणले गर्दा धिमाल समुदाय त्यस स्थानबाट पलायन नै हुन बाध्य हुनु पर्‍यो ।

ऐन, भूमि सुधार जस्ता नियम लागू गरेर सबै उनीहरूको जमिन खोसियो । त्यसको परिणाम स्वरूप यस क्षेत्रबाट वन विनास हुँदै गयो । वन विनास भएपछि पानीका मुहानहरू सुक्दै गए । पानीका मुहानहरू सुक्दै जाँदा खोला सुक्दै जान थाले । पानीको अभावमा अन्न उत्पादनमा कमी हुँदै जान थाले । खोला सुक्दै जाँदा त्यहाँका जल प्राणीको जीवन चक्रमा नै सङ्कट उत्पन्न भएको छ ।

नदि प्रणालीमा समस्या

बेलबारी क्षेत्रको मुख्य नदि अन्तर्गत बेतना(बेताई) नी भोडा, लोहन्द्रा, सिसौली, धाराखोला आदि खोलाहरू पर्दछन् । यी खोलाहरूले हजारौं विघा जमिन सिंचित गर्दछन् । सुरुका दिनहरूमा लोहन्द्रा खोलालाई दोन्द्रा भनिन्थ्यो । दोन्द्रा आदिवासी धिमाल समुदायको भाषा हो । दोन्द्राको अर्थ धिमाल भाषामा माछा बोक्ने फुर्लुङ हुन्छ । हालको लोहन्द्रा अपभ्रंशित नाम हो । लोहन्द्राको कुनै अर्थ छैन वा अर्थ आउँदैन । आदिवासीहरूले राख्ने नामहरू अर्थपूर्ण र सार्थक हुने गर्दछन् । यो खोलाको नाम रहनुमा पनि निकै रोचक प्रशंग छ । धेरै

वर्ष पहिले खोलामा ठुलो बाढी आउँदा कुनै एक व्यक्तिलाई दोन्द्रासँगै बगाएको थियो रे । त्यसरी मानिसलाई बगाएर लगेपछि धिमालनीहरूले यो खोलाले दोन्द्रासँगै बगाउँछ है भन्न थाले । एवम् रूपमा मानिसहरूलाई कहाँ गएको भनेर सोध्ने क्रममा दोन्द्रा खोला जानेहरूले दोन्द्रासँगै मान्छे बगाउने खोला गएको भन्नुको सट्टा त्यसको छोटो रूप दोन्द्रा गएको भन्न थाले । आज वर्षौं वर्षपछि त्यहि दोन्द्रा लोहन्द्रा हुन पुगेको छ ।

नाम जे भएपनि अब यस खोला प्रणालीहरूमा देखिएका समस्याहरूको बारेमा कुरा गरौं । लोहन्द्रामा आजभन्दा १५ वर्ष अधिसम्म बालुवा, गिट्टी निकालिदैन थियो । जब जे.सि.वीको प्रवेशभयो त्यसपछि मिक्स गिट्टी, बालुवा, गिट्टीहरू अत्याधिक मात्रामा निकाल्न थालियो त्यसपछि यस खोलामा हिँउदको समयमा पानी नै बग्न छाडे । पानी नै नभएपछि माछा हुने कुरै भएन । पहिले-पहिले सोहि खोलाको पानी प्रयोग गरेर आफ्नो खेती गर्ने किसानहरूले आजभोली सो पानीको प्रयोग गर्नबाट वञ्चित भएका छन् । त्यसरी वञ्चित हुनुको कारण खोलामा डोजर (जेसिवी) लगाएर ट्रिफरका ट्रिफर मिक्स गिट्टी

केहि परको गाउँबाट पानी त्याएर काम चलाउनु परेको छ । खोलाबाट पानी आउन छाडेपछि उनीहरूले बोरिङ गाडेका थिए । बोरिङ कम्तिमा पनि ५० फिट गाडिएको हुन्छ । राम बहादुर गिरीको घरमा कल र बोरिङ दुबै छ तर पानी आउँदैन । पोखरीहरू सुक्न थालेका छन् । त्यो पनि खोलाको सतह गहिरिएकै कारणले नै गर्दा भएको हो । मानिसलाई बाँच्नका लागि स्वच्छ पानी र खानाको आवश्यकता पर्दछ । सो गाउँमा ती दुवै कुराको अभाव हुँदै गएको छ । खान (पिउन) र अन्न उत्पादन गर्नका लागि पानीको अभाव व्यहोर्नु यो गाउँको बाध्यता बनेको छ । त्यस कारण पनि यस स्थानको वस्तिनै सार्नु पर्ने अवस्थामा पुगेको छ । पानीको अभाव हुँदा उत्पादनमा समस्या आएको छ । बोट लागि नसक्दा किराले खाइ सकिदिने समस्या छ । बाँची हालेकामा पनि फल लाग्दैनन् ।

बेलबारी क्षेत्रमा हुर्कने सबै मानिसलाई थाहा छ की पहिले-पहिले लोहन्द्रा खोलामा धेरै माछाहरू पाइन्थे । जेसिवी लगाएर खोला नै जवरजस्ती सुकाई दिएका छन् । त्योसँगै जलचरिय जीवन चक्र पनि समाप्त भएको छ । त्यही खोलामा आफ्नो आहारा

पोखरीहरू सुक्न थालेका छन् । त्यो पनि खोलाको सतह गहिरिएकै कारणले नै गर्दा भएको हो । मानिसलाई बाँच्नका लागि स्वच्छ पानी र खानाको आवश्यकता पर्दछ । सो गाउँमा ती दुवै कुराको अभाव हुँदै गएको छ । खान (पिउन) र अन्न उत्पादन गर्नका लागि पानीको अभाव व्यहोर्नु यो गाउँको बाध्यता बनेको छ ।



ओसारुले हो । त्यसरी ट्रिफरका ट्रिफर मिक्स गिट्टी ओसारु थालेपछि सिँचाई गर्न लाने कुलोको सतह गहिरिएर गएपछि किसानहरू खोलामा बाँध बाध्न असमर्थ छन् । त्यसरी खेतीमा पानी लागि सिँचाई गर्न नसक्दा किसानहरूले खेती गर्न पनि छाड्न थालेका छन् । पूर्व-पश्चिम लोक मार्गमा पर्ने लोहन्द्रा पुलको केहि माथि किसानहरूले बाँध बाँधी कुलो बनाई सिँचाई गर्ने पानी लग्ने गर्दथे । सोही पैनीबाट बेलबारी दुईका दक्षिण भागका र सुन्दरहरैँचाका पूर्व उत्तरका किसानहरूले आफ्नो खेतमा सिँचाई गर्ने गर्दथे । तर खोलामा जेसिवी पसेपछि त्यो बाँधमा किसानहरूले बाँध बाँध्न नसक्ने स्थितिमा पुगेका छन् । त्यसो हुनुमा जेसिवीले आवश्यकताभन्दा ज्यादा गिट्टी बालुवा निकालेर खोलाको सतह गहिराइदिनु हो । खोलाको सतह गहिरिएपछि सो समस्या आएको देखिन्छ ।

बेलबारी नगरपालिका वडा नं. २ को तल्लो मलामी चौक क्षेत्रमा पानीको अभाव हुँदा वस्ति नै सार्नु पर्ने अवस्थामा पुगेको छ । कलमा पानी आउँदैन । मलामी आउँनेहरूलाई समेत पिउने/खाने पानी छैन । त्यस आसपासका मानिसहरूले

र घर बनाउने धेरै प्रजातिका चराचुरुङ्गीको जीवनचक्र पनि धरापमा परेको छ । खोलाको सतह अत्याधिक मात्रामा गहिरिदा खोला किनाराको खेती योग्य जमिन बर्षेनी कटानमा परिरहेका छन् ।

प्रकृति र मानव बीचको अन्तर-संबन्ध असन्तुलन

जलवायु परिवर्तनको असरका कारण हाल यस क्षेत्रका घरपालुवा जनावरहरूमा विभिन्न खाले समस्याहरू देखा पर्न थालेका छन् । जसमा गाई, भैँसी, सुङ्गुरहरू बैला हुने । भर्ना भएकाहरू पनि उल्टिने । उल्टिएकालाई पनि पटक-पटक भर्ना गर्नु पर्ने । भर्ना भइहाले पनि सुङ्गुर वा बङ्गुरहरूले कम बच्चा जन्माउने जस्ता समस्याहरू उत्पन्न हुन थालेका छन् । यस क्षेत्रका भेटनरी मनोहरीका अनुसार यी सबै कार्य हुनुमा जलवायु परिवर्तनको असर हुन सक्ने उनी बताउँछन् । प्रकृति र मानव बीचको संबन्धमा असन्तुलन आएसँगै वन्यजन्तुहरूको बासस्थान वनजङ्गल फडानी, चोरी सिकारी, वन डडेलो वा वनमा आगो लगाउने कार्य बढदै गएको छ, जसले गर्दा वन्य जन्तुहरूको सङ्ख्यामा गिरावट आइरहेको छ । यस क्षेत्रमा

विशेष गरी बदेल्, चित्तल, हरिण आदि पाइन्छन् । त्यसै गरी पन्थीहरूमा पनि विभिन्न किसिमकारोगहरू देखिन थालेका छन् । आपसे आप पन्थीहरूको आँखा बन्द हुने समस्याहरू पनि देखिन थालेका छन् ।

धिमाल समुदायले महिला सुत्केरी भएको अवस्थामा शरीर बाँध्नका लागि खाने गोहोरोहरू पनि यस क्षेत्रबाट लोप हुन थालेका छन् । जुन गोहोरो महिला सुत्केरी भएको अवस्थामा अनिवार्य मानिन्छ । ती गोहोरो वनमा नै पाइने हो । गोहोरो निरन्तर पाउनका लागि दिगो र स्वास्थ्य वन आवश्यक हुने भएकाले गर्दा पनि धिमालहरूले वनको सदैव संरक्षण गर्ने गर्दछन् । जुन हरियो वनको कारण कार्वन संचितीमा ठुलो टेवा पुग्न जान्छ । एसिया प्रायद्विप मध्ये नेपालमा मात्र पाइने विश्वको दुर्लभ कछुवा मध्ये मयुरपङ्खी कछुवा बेलबारीको बताना सिमसारमा मात्र पाइन्छ । त्यसको बच्चा उत्पादनमा कमी आइरहेको छ । वन र सिमसार रहे मात्र ती कछुवाको संरक्षण हुन सक्छ । ती मयुरपङ्खी कछुवाको संरक्षण हुन सकेमात्र स्वदेशी तथा विदेशी अनुसन्धान कर्ताहरूले अनुसन्धान गर्न, अवलोकन गर्न र स्वास्थ्य पर्यावरणलाई निरन्तरता दिन सकिन्छ ।

स्थानीय बिउहरू विस्थापनको बाटोमा

बर्षौं अधिदेखि उत्पादन गरिदै आइरहेका स्थानिय प्रजातिका अन्न र त्यसका विउहरू विस्तारै विस्थापित हुँदै गइरहेका छन् । स्थानिय विउहरूलाई हाइब्रिड विउहरूले विस्थापन गर्दै लगिरहेको छ । स्थानिय लोकल विउहरू मिठो, स्वादिलो हुनुका साथै पुनः पछि आफैले अर्को फल उत्पादन गर्न सक्ने क्षमता राख्दछ भने बजारबाट किनेर ल्याएको हाइब्रिड विउलाई किन्दै रोप्दै मात्र गर्न सकिन्छ । त्यसले आफु उत्पादन भएर पुनः अर्को फल त्यसै हाइब्रिडको विउबाट उत्पादन गर्न सकिदैन ।

त्यसकारण कालान्तरमा विदेशीले अन्नको विउ पठाएमा मात्र नेपालमा अन्न उत्पादन हुने र नपठाएमा हाहाकार हुने अवस्थाको सृजना हुन सक्ने खतरा दिनानु दिन यस क्षेत्रमा बढ्दै गइरहेको छ । जस्तै पहिले-पहिले युरिया, डिएपी., पोटास जस्ता रासायनिक मल प्रयोग नगरी घरकै गाडवस्तु तथा वनका प्राङ्घारिक मलबाट अन्नहरू उत्पान गरिन्थ्यो । तर आजभोली विषादी र रासायनिक मलको प्रयोग नगरेसम्म खेतबारीमा उत्पादन नहुने अवस्था आईसकेको छ । जुन मलको लागि विदेशी वा अन्य देशमा भर पर्नु परेको छ । मल नआउँदा नेपालमा हाहाकार मच्चिने गरेको परिदृश्य हाम्रो आँखैमा नाचिरहेका छन् । त्यो समस्याले यस क्षेत्रलाई पनि गाँजेकै छ ।

यस्ता समस्याहरूले गर्दा यस क्षेत्रलाई विस्तारै-विस्तारै गाँजदै-गाँजदै लगिरहेको पाइन्छ । जुन भविष्यमा गएर निकै विकराल समस्याको रूपमा उभिने सम्भावना देखिन्छ ।

प्रकृतिक र पारिस्थितिक प्रणालीका प्रमुख धिमाल

धिमाल आदिवासी जनजाति न त सरकार हो । न त कुनै

निकाय नै हो । सरकारी निकायको हिसावबाट उनीहरू केहि पनि हैन तर प्रकृतिक संरक्षण, पारिस्थितिक प्रणालीका लागि उनीहरू सम्पूर्ण कुरा हुन् । उनीहरूलाई प्रकृतिको संरक्षण, संवर्धन, प्रवर्धन, उपयोग र विकासका लागि जिम्मा दिए मात्र पनि पुग्छ । किनभने प्रकृतिको संरक्षण, संवर्धन, प्रवर्धन, उपयोग र विकासका लागि कुनै तालिम दिइरहन जरुरी पर्दैन । प्रकृतिको संरक्षणका लागि उनीहरू आफैमा सक्षम समुदाय हुन् । उनीहरूले कहिल्यै पनि वनको विनास गर्दैनन् । औलो जस्तो प्राणघातक रोगबाट पनि बाँच्न सक्ने औषधी त्यहि वनमा पाइन्छ भन्ने ज्ञान ति आदिवासी जनजातिसँग छ । वन विनास गरेमा उनीहरूलाई आवश्यकपर्ने गोहोरो, माछा, अन्य जनावर, बोट विरुवा, सालको पात, मोरङ्गे, बोजो, हर्रा, बर्रा, निम जस्ता जडिबुट्टिहरू पनि विनास भएर जान्छन् । जुन कुरा उनीहरूका लागि जीवनभर आवश्यक भइरहन्छ । ती चिजहरू एनिहरू र प्राय सबै आदिवासी जनजातिको संस्कार संस्कृतिसँग जोडिएको हुनाले यसको संरक्षणका लागि भए पनि उनीहरूले वनलाई जोगाउने गर्दछन् । वनको विनास नभएपछि पानीको मुहान सुक्दैनन् । पानी उत्पादन भएमा अन्न-बाली राम्रो हुन्छ । अन्न-बाली राम्रो भएपछि जीवनयापन गर्न सजिलो हुन्छ । जीवनयापन गर्न मात्र नभएर राम्रो उत्पादन भएको अन्न देशले अन्य देशमा निर्यात पनि गर्न सक्छन् । जुन कार्यले देशमा विदेशी पैसाको संचित बढाउनुका साथै कुल बजेटमा पनि ठुलो योगदान दिन सक्दछ ।

बजेट कार्यान्वयनमा गैर-आर्थिक पक्ष

विश्व भरिनै एउटा प्रचलन छ की योजना अनुसार समय मै बजेट कार्यान्वयन हुनु पर्छ भन्ने । आदिवासीजनजाति जिवन पद्धतिको दृष्टिकोणमा कतिपय बिषयमा पैसासँग खास मतलव हुँदैन । उनीहरूको जीवन प्रणालीको धेरै आयमहरू गैर-आर्थिक हुन्छन् । पैसाले मात्र आदिवासी जिवन पद्धति नचल्ने भएकाले पैसाले मात्र सबै समस्या समाधान गर्छ वा समाज बिकास हुन्छ भन्ने हुदैन ।

तथाकथित बिकासले पैसालाई वस्तुहरू खरिद-विक्री गर्नका लागि प्रयोग गर्दछ । बिकासका नाममा बजेट छुट्याउने र कार्यान्वयन गर्ने गर्दछ । तर, आदिवासीजनजाति र प्रकृति बीचको संबन्धमा पैसाको महत्व कम हुन्छ । तसर्थ, उनीहरूले हजारौं वर्ष लगाएर निर्माण गरेको पारिस्थितिक प्रणाली, परंपरागत ज्ञान, आदिवासी विज्ञान र संकृति विगारेर तथाकथित बिकास र वन संरक्षणका लागि आदिवासी जनजातिको अधिकार बिपरित बजेट छुट्याएर हतार-हतारमा उपलब्धी खोजेर उपलब्धी प्राप्त गर्न सकिदैन ।

तसर्थ पनि आदिवासी जनजातिको क्षेत्र लक्षित कुनै पनि कार्यक्रम, नीति, नियम बनाउँदा सोको उपलब्धी कस्तो हुनेवाला छ भन्ने कुराप्रति ध्यान आकृष्ट गर्न जरुरी हुन्छ र आदिवासी जनजातिलाई उनीहरूको थातथलो वा क्षेत्रको बिकास र संरक्षणको प्रमुखको रूपमा अंगिकार गर्नु आवश्यक हुन्छ ।



नेपालमा संघीय लोकतान्त्रिक गणतन्त्रात्मक शासन व्यवस्था लागू भएपछी आदिबासी जनजाति थारुहरूको प्रथाजन्य संस्थाले पहिलो पटक कानूनी मान्यता पाएको छ । बर्दियाको बारबर्दिया नगरपालिकाले पहिलो पटक २०७७ पौष २९ गते बरघर ऐन पास गरी थारु प्रथाजन्य संस्थालाई बैधानिक मान्यता दिएको हो । बरघर ऐन पास गराउन बारबर्दिया नगरपालिकाका तत्कालिन नगर प्रमुख दुर्गाबहादुर थारुले निकै मेहनत गर्नु भएको थियो । बरघर ऐनले थारुहरूको साँस्कृतिक पहिचान, स्वशासनको अभ्यास जोगाउनुका साथै बरघरहरूले गर्दै आएको स्वयंसेवाको भावनामा अभि उर्जा थपिने उहाँको कथन थियो । यसले स्थानीय तहलाई सूचना प्रवाह गर्न, बिकास निर्माणमा जनसहभागिता बढाउनुका साथै उनीहरूमा राज्य प्रति अपनत्वको भावना जाग्ने उहाँको दाबी थियो । बारबर्दियाले बरघर ऐन पास गरेपछी अहिले सम्म दाङमा १, बर्दियामा ५, कैलालीमा ४ र कञ्चनपुरमा ४ गरी १४ स्थानीय तहहरूले मटावाँ/बरघर/भलमन्सा ऐन पास गरीसकेका छन् । कानून बन्नु आफैमा सकारात्मक कुरा हो तर धेरै पालिकामा यो कानून अभ्यासमा आउन सकेको छैन । बरघर ऐन लागू गर्ने पहिलो नगरपालिका बर्दियाको बाँसगढी नगरपालिका बन्न पुगेको छ । बर्दियाको बाँसगढी नगरपालिकाले आर्थिक वर्ष ०७८/०९ देखी उपभोक्ता समितिलाई बिस्थापित गर्दै टोल बिकास संस्था र त्यसकै समानान्तरमा बरघर संस्था दर्ता गर्ने कानून बनाएको छ । यानेकी जहाँ बरघर संस्था पहिले देखी नै छ त्यहाँ बरघर संस्था दर्ता गर्ने र जहाँ बरघर छैन त्यहाँ टोल बिकास संस्था दर्ता गरिन्छ । दर्ता भएका संस्थाबाट नै योजना निर्माण, योजना कार्यान्वयन र अनुगमन गर्ने निती अबलम्बन गरेको छ । नगरको यो नितीले बाँसगढीमा रहेका ४६ प्रतिसत थारुहरूले आफ्नो प्रथाजन्य बरघर संस्थालाई नगरमा दर्ता गराउन पाएका छन् । सो कार्यका लागि बाँसगढी

बरघर ऐनले थारुहरूको साँस्कृतिक पहिचान, स्वशासनको अभ्यास जोगाउनुका साथै बरघरहरूले गर्दै आएको स्वयंसेवाको भावनामा अभि उर्जा थपिने उहाँको कथन थियो ।

थारु प्रथाजन्य संस्था बरघर

एकराज चौधरी
बर्दिया



नगरपालिकाका तत्कालिन नगर प्रमुख शालिकराम अधिकारी र उहाँको टिम धन्यवादको पात्र बन्नुभएको छ । यो नयाँ अभ्यासका बारेमा उहाँ भन्नु हुन्छ, सदियौं देखी आफ्नो समाज आफैँ संचालन गरिरहेको आफ्नो बिकास आफैँ गरिरहेको, न्याय निसाफ र सामाजिक सदभाव कायम गरिरहेको प्रथालाइ मान्यता दिएमा राज्यलाई यसले फाइदा नै गर्छ । सबैभन्दा पहिले त यो राज्य हाम्रो पनि हो भन्ने भावना यसले जगाउँछ । त्यसपछी उनीहरूको सूचना सम्प्रेषण गर्ने आफ्नै प्रणाली छ त्यसले नगरको सूचना एकैचोटी प्रवाह हुन सक्छ । सरकारको बजेट त्यहाँ होस की नहोस उनीहरूले आफ्नो बिकास आफैँ गरिरहेकै छन् भने जनश्रम जुटाउन पनि सहज हुने भयो । अनी आफ्नो बजेट आफैँ प्रयोग गर्न पाउने भएपछी पारदर्शिता हुने र योजनाको सुरक्षा पनि हुने उहाँको कथन छ ।

कसरी अभ्यास भइरहेको छ त ?

बाँसगढी नगरपालिकाले नगर भित्रका सबै घरघरहरूलाई परिचय पत्र बितरण गरेको छ । “पहिले गाउँको मात्रै घरघर थियौं, अब सरकारको पनि घरघर भयौं” घरघरहरूलाई परिचय पत्र बितरण गर्ने कार्यक्रममा सहभागी हुन आएका बाँसगढी २ बेतहनीका घरघर भौंसु थारुले भने । परिचय पत्रसंगै घरघरमा निर्वाचित भएको प्रमाण पत्र दिने प्रावधान पनि घरघर ऐनमा उल्लेख छ । यसबाट घरघरहरूको आत्मसम्मान बढनुका साथै उनीहरूमा काम गर्ने उर्जा अझ थपिएको छ । पहिले त न नाम थियो न दाम थियो हेर्नुस, आफुले भिरेको परिचयपत्र देखाउँदै बाँसगढी ८ का घरघर बिट्टन थारुले भने । गाउँमा आउने सबै बजेट गाउँकै बैंक खातामा आउन थाले पछी जिम्मेवारी अझ थपिएको उनले बताए । घरघर ऐनले थारु पहिचान जोगाउनुका साथै राज्य प्रतिको अपनत्व पनि बढाएको छ । घरघर ऐनमा ३३ वटा थारु शव्दहरू परिभाषित गरिएका छन् । जुन शव्दहरूमा नाम, काम, पद्धती, प्रकृया, ज्ञान, शिप र बिश्वासहरू समावेश छन् । त्यती मात्रै होइन आफ्ना पुर्खाहरूले राखेका गाउँका ऐतिहासिक नामहरू पनि नगरपालिकामा दर्ता गराएर उनीहरूले आफ्नो पहिचान जोगाइरहेका छन् । कञ्चनपुर बेलौरी

नगरपालिकाका प्रमुख पोतीलाल चौधरीले थारु र रानाहरूको भलमन्सा प्रथालाइ कानूनी मान्यता दिएजस्तै अन्य समुदायको प्रथाजनित संगठन छ भने उहाँहरूलाई पनि कानूनी मान्यता दिन आफु तयार रहेको बताउनु भएको छ ।

गाउँलाई नगरपालिकामा दर्ता गराउनु पर्ने

गाउँलाई कानून बमोजिम संस्थागत गर्न ऐनमा गाउँलाई दर्ता गर्ने प्रावधान राखिएको छ । यसरी गाउँलाई दर्ता गर्न गाउँको बखेरीको निर्णय, बिधान, बखेरीले चुनेका कामकाजी अगुवाहरूको नागरिकता र वडाको सिफारिस आवश्यक हुन्छ । गाउँलाई दर्ता गरेपछी नगरपालिकाले दर्ता प्रमाणपत्र दिन्छ । यस अघी थारु गाउँको स्वशासन मौखिक रूपमै चल्ने गरेको थियो । तर अब प्रत्येक गाउँले आफ्नो बिधान बनाउनु पर्ने जरूरी हुन्छ । बिधानलाई ऐनको फर्मेटमा बनाउनु पर्ने भएकोले मौखिकरूपमा चलीरहेको भन्दा केही कुराहरू थप गरिएका छन् । जस्तै, थारु चलन अनुसार गाउँको क्षेत्र तोक्दा गुर्वाहरूले तन्त्र बिधिबाट सीद्धगरी गाउँको चारै सीमानामा चार वटा काठका मौलाहरू गाडदथे । तर गाउँको बिधानमा भौगोलिक सीमाना तोकिएको छ । गाउँ भित्रका सबै घरघुरी गाउँको अभिलेखमा सूचिकृत हुनु पर्ने त्यसैगरी परिभाषा, काम कर्तव्य अधिकार, दायित्व, एउटा संस्थामा हुनुपर्ने सबै प्रावधानहरू बिधानमा राखिएको छ । थारु पदाधिकारीहरूमा पहिले महिलाहरूको सहभागिता थिएन तर घरघर ऐनले ३३ प्रतिसत महीला अनिवार्य गरेको छ । त्यसैगरी गाउँको बैंक खाता संचालन गर्दा ३ जना मध्ये १ जना महीला अनिवार्य हुनु पर्ने प्रावधान छ । थारु चलन अनुसार गरिने रितीथितिहरूका लागि छुट्टै परिच्छेद बनाइएको छ । जस्तै जन्म, बिबाह, मृत्यु र सामुहिक रूपमा मनाइने जोग पर्वहरू कसरी मनाउने के गर्ने, के नगर्ने कुराहरू समेत उल्लेख गरिएको छ । आफ्नै छाप, साइनबोर्ड हुने र गाउँ एक अबिछिन्न उत्तराधिकारवाला स्वपरिचालित र स्वशासित संगठित संस्था हुने र यसले व्यक्ति सरह सम्पत्ती प्राप्त गर्न बेचबिखन गर्न र हस्तान्तरण गर्न सक्ने भनिएको । यस बाट अब गाउँमा रहेका सार्वजनिक जग्गा भुमाफीया बाट जोगाउन



सहज हुनेछ । आफ्नो गाउँको बिहौ कुवाँ (बिबाह गर्दा पूजा गरिने कुवा) व्यक्तिको नाममा परेपछि समस्या परेको बताउनु हुन्छ बर्दिया पुरान दमौलीका बरघर चेताराम थारु ।

योजना निर्माण र नेतृत्व चयन

थारु समुदायको नयाँ वर्ष माघ १ गतेबाट शुरु हुन्छ । त्यसका लागि माघ २ गतेदेखि बस्न शुरु हुने बखेरी (वार्षिक ग्राम सभा) माघ महिनाभित्र सक्नु पर्दछ । यो प्रक्रियालाई पनि ऐनले सम्बोधन गरेको छ । पहिले मौखिकरूपमा निर्णय गरिन्थ्यो तर अब यसलाई लिखित रूपमा गरेर नगरपालिकामा पेश गर्नु पर्दछ । एक वर्षे पदावधि हुने भएकोले नगरपालिकाले प्रत्येक वर्ष बरघरहरूलाई नयाँ परिचयपत्र दिन्छ । स्थानीय तहको ७ चरणको योजना मध्ये बस्तिस्तरको योजना निर्माण बखेरीले नै गर्छ । जसका लागि योजना निर्माणको फाराम ऐनको अनुसूची र गाउँको विधानमा पनि राखिएको छ । प्राथमिकता अनुसार योजना राखिएको फाराम गाउँ बरघरले वडा कार्यालयमा पेश गर्छन् । वडाको कामलाई सहयोग र समन्वय गर्न वडा स्तरको बरघर समिति बनाइएको छ भने नगर स्तरको कार्यक्रमलाई सहयोग र समन्वय गर्न नगरस्तरीय बरघर समिति बनाइएको छ । पालिकाले न्याय सम्पादन गर्ने क्रममा आवश्यकता अनुसार गाउँ, वडा र नगर बरघरसँग समन्वय गरी न्याय सम्पादन गर्ने प्रावधान राखिएको छ ।

सिकाई

बरघर ऐनको पहिलो मस्यौदा बनाउँदा देखि नै सहभागी रहेकोले स्तम्भकारलाई धेरै कुरा सिक्ने अवसर मिल्यो । धेरै पटक कानूनविदहरूसँग, कैयौँ पटक कानून लागू गर्ने ओहदामा बसेका राष्ट्रसेवक कर्मचारीहरूसँग र प्रत्यक्ष सरोकारवाला प्रथाजन्य संस्थाका अगुवाहरूसँग छलफल गर्ने मौका पाइयो । कानून पास भइसकेपछि परिचय पत्र मात्रै पाउँदा पनि बरघर हुन प्रतिस्पर्धा हुने गरेको पाइयो । यस अघि बरघर बन्न कोही मन नगर्ने हुनाले आलोपालो प्रणाली र कुनै गाउँमा चिट्ठा हाल्ने सम्म हुन्थ्यो तर ऐन पास हुनासाथ कतिपय गाउँमा चुनाव नै भयो र युवा बरघरको संख्या बढ्न थालेको छ ।

मौखिक रूपमा संचालन हुँदै आएका गाउँहरूलाई लिखित कानून र विधानका आधारमा संचालन हुनु पर्दा औपचारिकता बढी व्यवहारिकता कम हुन्छ की भन्ने लागेको छ । तै पनि प्रत्येक वर्ष गाउँको बखेरी बस्ने भएकोले यसलाई अद्यावधिक गर्न सकिएला भन्ने लागेको छ ।

संस्थालाई कानूनी मान्यता दिनका लागि सबै गाउँले पान नम्बर पनि लिएका छन् । गाउँ नबिकरण गर्न लेखापरिक्षण गराउनु पर्ने, वर्षेनी कर तिर्नुपर्ने भएकोले गाउँले थप आर्थिक भार व्यहोर्नु पर्ने निश्चित छ । एक संस्था बराबर कम्तिमा पनि रु. ५०००० लेखापरिक्षण शुल्क तिर्नुपर्ने भएकोले एक पालिकाबाट १० लाख भन्दा बढी रकम बाहिरिनेछ । अहिले लेखापरिक्षण



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गराउने बिषयमा नगरपालिकाको टाउको दुखाइ शुरु भएको छ । यस बिषयमा बाँसगढी नगरपालिकाका बर्तमान नगर प्रमुख खडक बहादुर खड्काले यस वर्षका लागि टेन्डरबाट सबै गाउँ र टोलको लेखापरिक्षण गराउने र आगामी दिनमा एक गाउँ एक संस्थाको रूपमा संस्थागत गर्ने बताउनु भयो । गाउँ फुटाएर धेरै संस्था बनाएर मात्रै बिकास नहुने बरु उनीहरूलाई कसरी जिम्मेवार बनाउने तर्फ लाग्नु पर्ने उहाँको कथन थियो ।

बरघरले कानूनी मान्यता पाए संगै उनीहरूले मान, प्रतिष्ठा पनि बढेको छ । गाउँमा हुने बिकास निर्माणका कामका लागि गाउँकै बैंक खातामा पैसा आउने भएपछि लाभ लिन पाउने आशामा खराब नियतका मानिसहरूले प्रतिस्पर्धा गर्न सक्छन् ।

कतिपय गाउँमा दलगत स्वार्थका आधारमा चुनाव पनि हुने संभावना पनि रहनेछ । बारबर्दिया नगरपालिकाका पुर्ब प्रमुख दुर्गाबहादुर थारुले बरघरलाई पैसा र दलगत स्वार्थबाट टाढै राख्ने संयन्त्र बनाउनु पर्ने बताउनु हुन्छ । दाङ जिल्लाको घोराही उपमहानगरपालिका प्रमुख नरुलाल चौधरीले थारुहरू अल्पमतमा रहेकोले गाउँमा मटावाँ (दाङमा बरघरलाई मटावाँ र कैलाली कञ्चनपुरमा भलमन्सा भनिन्छ) छान्दा गैर थारु नै गाउँ मटावाँ छानिएर आउने संभावना रहेको बताउनु हुन्छ ।

अन्त्यमा, गणतन्त्र त आयो तर आम नागरिकहरूका लागि केही आएन भन्नेहरूका लागि बरघर ऐन गतिलो उदाहरण हो । यदि गणतन्त्र नआएको भए, संघीय लोकतान्त्रिक गणतन्त्रात्मक शासन व्यवस्था लागु नभएको भए यो अधिकार थारुहरूले पाउने थिएनन् । त्यसका लागि हामीले २०५६ जेठ १८ गते जुन दिन सर्वोच्च अदालतले नेपाल भाषा र मैथली भाषालाई स्थानीय निकाय भित्र आधिकारिक रूपमा प्रयोग गर्न नपाउने भन्दै रीट जारी गरेको सम्झिनु पर्दछ । त्यसैले अन्य आदिवासीहरूका प्रथाजन्य संस्थाहरूलाई लागु गराउन छलफल चलाउन जरुरी छ ।



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