

Civil Society Outreach for Constituent Assembly Submission

**Suggestions for the Committee for the Protection of the Rights
Minorities and Marginalized Communities**

**Suggestions collected from the Muslim communities of Bara and
Kapilvastu districts for the Constituent Assembly through Democratic
Dialogue**

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Prastoka Village Development Committee, Bara District

1. The backward communities with separate identity (language, religion, culture) should be identified as minority communities.
2. The backward communities, class, and people (from backward regions) in terms of ethnicity, religion and language, who lag behind in economic, social, educational and political development and are denied of employment opportunities, should be identified as minority communities.
3. People who are below the poverty line should also be identified as minority communities.
4. The communities, class, minority gender groups, and people (from backward regions) in terms of ethnicity, religion and language, and, who lag behind in economic, social, educational and political development and are denied of employment opportunities, should be identified as backward ethnic groups, class or communities who are excluded and marginalized.
5. It would appropriate to incorporate ethnic, religious and lingual autonomy for minority communities (in the new constitution) along with the right to positive discrimination, right to priority, and special rights for reservation and quota system.
6. It would be appropriate to make a provision in the new constitutional about positive discrimination with special rights regarding reservation and quota system for the marginalized communities along with the right to equality that are enjoyed by members of other communities.
7. It would be appropriate to make constitutional provision to ensure the rights of members of backward and excluded ethnic groups, class and communities, which should be equal to the rights of marginalized groups.
8. Protection could be given to minority communities by adopting the following measures:
 - By providing autonomy to minority groups on the basis of ethnicity, language, religion and region, and give recognition to sexual and gender minorities.
 - By providing rights to minority groups that are similar to the rights enjoyed by the members of other communities.
 - By making constitutional provision of positive discrimination (with special rights for reservation and quota system) for minority communities along with rights that are similar to the rights enjoyed by the members of other communities.
9. Minority communities could be protected by adopting the following measures:
 - By providing rights to minority groups that are similar to the rights enjoyed by the members of other communities.
 - By making constitutional provision of positive discrimination (with special rights for reservation and quota system) for minority

communities along with rights that are equal to the rights enjoyed by the members of other communities.

10. The backward, isolated and excluded ethnic groups, class and communities could be protected by adopting following measures:
 - By providing rights that are equal to the rights enjoyed by the members of other communities.
 - By making constitutional provision of positive discrimination (with special rights for reservation and quota system) for minority communities along with rights that are equal to the rights of members of other communities.
11. Inclusiveness could be achieved for minority communities with their proportional representation in public institutions.
12. Inclusiveness could be achieved for the backward, isolated and the communities that are excluded on the basis of ethnicity and class with their proportional representation in public institutions.

Banjariya Village Development Committee (Bara District)

1. The backward communities with separate identity (language, religion, culture) should be identified as minority communities.
2. The backward communities, class, and people (from backward regions) in terms of ethnicity, religion and language, who lag behind in economic, social, educational and political development and are denied of employment opportunities, should be the basis for the identification of minority communities.
3. The communities who do not have any access to economic, social, educational and political spheres should be basis for the identification of extremely excluded communities.
4. Households could be identified as the most excluded and marginalized even from among the ethnic groups, class or communities that lag behind in economic, social, educational and political spheres as well as in the job market.
5. It would be appropriate to have constitutional provision of ethnic, lingual and religious autonomy along with positive discrimination (with special rights for reservation and quota system) for minority communities.
6. There should be constitutional provision of positive discrimination (and special rights for reservation and quota system) and rights for the marginalized communities that are equal to the rights enjoyed by the members of other communities.
7. It would be appropriate to make constitutional provision of positive discrimination (with special rights for reservation and quota system) for the members of backward, isolated and excluded ethnic groups, class and communities, and ensure rights which should be equal to the rights enjoyed by members of other communities.
8. There should be constitutional provision of positive discrimination (with special rights for reservation and quota system) and rights that are equal to the rights enjoyed by other communities for the protection of minority groups.
9. For the protection of the marginalized groups there should be constitutional provision of rights for the (marginalized) communities that are equal to the rights enjoyed by members of other communities along with the provision of positive discrimination (with special rights for reservation and quota system).
10. For the protection of the ethnic, class and community groups who have been excluded, there should be a constitutional provision of rights that are equal to the rights enjoyed by members of other communities along with the provision of positive discrimination (with special rights for reservation and quota).

11. Inclusiveness of the marginalized communities could be ensured through the provision of positive discrimination (with special rights for reservation and quota).
12. The inclusion of backward, isolated and marginalized caste, class and ethnic groups could be ensured in the governance of the country through positive discrimination (with special rights for reservation and quota).

Kapilvastu District

1. The communities whose population is low on the basis of their ethnicity, religion, language and the region they inhabit (and on the basis of their gender and sex), and have little or no access to economic, social, political and educational spheres and the resources of the state, should be identified as minority communities.
2. People from various ethnic, religious and lingual background and the region they inhabit (and on the basis of their gender and sex) who lag behind in economic, social, educational, political and employment opportunities, should be identified as marginalized communities.
3. The communities, who use their traditional knowledge, skill and expertise and are fully dependent on natural means and resources for their livelihood, should be identified as highly marginalized communities.
4. There is need to identify some ethnic groups, class and communities as the extremely backward, isolated and marginalized groups by identifying such households from among the communities on the basis of their ethnicity, religion and language (as well as sexual and gender minorities and people from backward regions) who are made to lag behind in economic, social, educational, political spheres and are denied of opportunities of employment.
5. It would be appropriate to have constitutional provision of ethnic, lingual and religious autonomy along with positive discrimination (with special rights for reservation and quota system) for minority communities.
6. There should be constitutional provision of positive discrimination (with special rights for reservation and quota system) and rights that are equal to the rights enjoyed by other communities for the protection of marginalized groups.
7. There should be provisions in the new constitution regarding positive discrimination (with special rights for reservation and quota system) and rights that are equal to the rights enjoyed by other communities for the backward, isolated and excluded ethnic groups, class and communities.
8. Constitutional provision should be made for the protection of the marginalized communities by providing similar rights to them as those enjoyed by the members of other communities along with positive discrimination (with special rights for reservation and quota system).
9. Protection should be given to the marginalized communities by providing similar rights as those enjoyed by the members of other communities along with positive discrimination (with special rights for reservation and quota system).
10. Protection should be given to backward, isolated and excluded class, ethnic groups and communities by providing similar rights as those

- enjoyed by the members of other communities along with positive discrimination (with special rights for reservation and quota system).
11. Provision should be made for the inclusion of marginalized communities with their proportional representation in public institutions and through positive discrimination (with special rights for reservation and quota system).
 12. The State system should be made inclusive by making positive discrimination (with special rights for reservation and quota system) for the backward, isolated and marginalized communities.

Civil Society Outreach for Constituent Assembly Submission

**Suggestions for the Committee for Natural Resources, Economic
Rights and Sharing of Revenues**

**Suggestions collected from the Muslim communities of Bara and
Kapilvastu districts for the Constituent Assembly through Democratic
Dialogue**

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Prastoka Village Development Committee, Bara District

1. Which level of state structure should be allowed to collect revenue from what natural resources?
 - Central level: Electricity and irrigation
 - Local level : Forests, rivers, streams
2. Revenue generated form natural sources should be kept at the local level.
3. It would be appropriate to divide Central government's sources of income on the basis of population.
4. The conflict that may arise between the Centre and provinces, or between provinces, or between a province and local body over the distribution of natural resources, economic rights and revenue distribution, should be settled through a judicial mechanism.

Banjariya Village Development Committee, Bara District

1. Provincial governments should be allowed to collect revenue from all kinds of natural resources
2. Revenue generated from natural resources should be kept at the provincial level
3. It would be appropriate to divide Central government's sources of income on the basis of population.
4. The conflict that may arise between the Centre and provinces, or between provinces, or between a province and local body over the distribution of natural resources, economic rights and revenue distribution, should be settled through a judicial mechanism.

Kapilvastu District

1. Local level bodies should be allowed to collect revenue from natural resources
2. The revenue generated from natural resources should be mobilized at the local level.
3. The criteria for distribution of sources of income of the Central government should be on the basis of backward regions.
4. The conflict that may arise between the Centre and provinces, or between provinces, or between a province and local body over the distribution of natural resources, economic rights and revenue distribution, should be settled through a judicial mechanism.

Civil Society Outreach for Constituent Assembly Submission

Suggestions for Preserving National Interests

Suggestions collected from the Muslim communities of Bara and Kapilvastu districts for the Constituent Assembly through Democratic Dialogue

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Prastoka Village Development Committee, Bara District

1. The following should be the major issues relating to Nepal's national interest
 - Promotion of respect for nation
 - National security
 - Social harmony
 - Political stability
 - World peace
 - Poverty alleviation
 - Building a Society where there will be no discrimination
2. Conserving natural heritage should be the responsibility of all levels of government – central, provincial and local.
3. Provision should be made for the immediate implementation of the treaties to which Nepal is a signatory by ratifying and approving them by the legislature.
4. In case of any border encroachment, the Government should immediately take initiatives to resolve problems relating the encroachment with the concerned country.
5. Recruitment in the Nepal Army should be made inclusive with the provision of reservation for a few years and by enlisting qualified Nepali citizens (on the basis of people) from marginalized, minority and indigenous groups as well as people from, Madhesi, Muslim, ethnic and marginalized groups, and those from the backward regions.

Banjariya Village Development Committee, Bara District

1. The following should be the major issues relating to Nepal's national interest
 - Promotion of respect for nation
 - National security
 - Social harmony
 - Political stability
 - World peace
 - Poverty alleviation
 - Building a Society where there will be no discrimination
2. Conserving natural heritage should be the responsibility of all levels of government – central, provincial and local.
3. It would be appropriate to immediately implement the treaties to which Nepal is a signatory by ratifying and approving them ratifying them by the legislature.
4. If there is any encroachment in the border, the Government should take immediate initiative and talk with the concerned country to resolve the problem.
5. Recruitment in the Nepal Army should be made inclusive with the provision of reservation for a few years and by enlisting qualified Nepali citizens (on the basis of people) from marginalized, minority and indigenous groups as well as people from, Madhesi, Muslim, ethnic and marginalized groups, and those from the backward regions.

Kapilvastu District

1. The major issues relating to Nepal's national interest should be the following:
 - Promotion of respect for nationality
 - National security
 - Social harmony
 - Political stability
 - World peace
 - Poverty alleviation
 - Building a Society where there will be no discrimination
2. Conserving natural heritage should be the responsibility of all levels of government – central, provincial and local.
3. Provision should be made for the immediate implementation of the treaties to which Nepal is a signatory by ratifying and approving them by the legislature.
4. If there is any encroachment in the border, the Government should take immediate initiative and talk with the concerned country to resolve the problem.
5. Recruitment in the Nepal Army should be made inclusive with the provision of reservation for a few years and by enlisting qualified Nepali citizens (on the basis of people) from marginalized, minority and indigenous groups as well as people from, Madhesi, Muslim, ethnic and marginalized groups, and those from the backward regions.

Civil Society Outreach for Constituent Assembly Submission

**Suggestions for Committee for Restructuring the State and
Sharing of State Power**

**Suggestions collected from the Muslim communities of Bara and
Kapilvastu districts for the Constituent Assembly through Democratic
Dialogue**

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Prastoka Village Development Committee, Bara District

1. The following should be the bases to structure Nepal into provincial units:
 - Geographical specificities
 - Population
 - Natural resources

2. It would be appropriate to give the name to Constituent units/provinces on the basis of the following:
 - Mountain peaks
 - Rivers and streams
 - Regional identity

3. It would be appropriate to divide Nepal into six constituent units/provinces
4. It would be appropriate to delineate the borders of the constituent units/provinces on the basis of districts.
5. Nepal will need a three-tier government.
6. It would be appropriate to give equal rights to all constituent units/provinces and divide the state power.
7. The Supreme Court will be the appropriate body to settle disputes between the Centre and the provinces, or between the provinces.
8. It will not be necessary to make non-geographical constituent units for the Dalits while restructuring the state.

Banjariya Village Development Committee, Bara District

1. The following should be the bases to structure Nepal into provincial units:
 - Language
 - Culture
 - Historical identity
2. It would be appropriate to give the name to Constituent units/provinces on the basis of the following:
 - Language
 - Geography
 - Rivers and streams
3. It would be appropriate to divide Nepal into a three-tier constituent units/provinces.
4. The border of the constituent units/provinces should be determined on the basis of the districts.
5. Nepal needs a three-tier government.
6. It would be appropriate to give equal power to all constituent units/provinces and divide the state power.
7. It would be appropriate to mobilize the Supreme Court, the Constitutional Court and the Federal (central) Legislature to settle the disputes that may arise between the Centre and province or between provinces.

Kapilvastu district

1. The following should be the bases to structure Nepal into provincial units:
 - Geographical specificities
 - Population
 - Natural resources
2. It would be appropriate to give the name to Constituent units/provinces on the basis of the following:
 - Mountain peaks
 - Rivers and streams
 - Regional identity
3. It would be appropriate to divide Nepal into six constituent units/provinces
4. It will be appropriate to delineate constituent units/provinces on the basis of basis of districts.
5. Nepal needs a three-tier government
6. All constituent units should be given equal power and it should be decided how would it be appropriate to divide state power among the constituent units/provinces.
7. The Supreme Court will be the appropriate body to decide in case of any dispute between the Centre and province, or between the provinces.
8. A non-geographical constituent unit should be made for Dalits while restructuring the state into federal units.

Civil Society Outreach for Constituent Assembly Submission

**Suggestions for Committee for Determining the Structure of
Governance of State**

**Suggestions collected from the Muslim communities of Bara and
Kapilvastu districts for the Constituent Assembly through Democratic
Dialogue**

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Prastoka Village Development Committee, Bara District

1. The new constitution should make a provision (of a parliamentary system) to give all the power to the Prime Minister but there should be a constitutional President (with limited power).
2. It would be appropriate to call the Head of the State the President
3. It should be decided as to how to elect the President by an electoral college comprising the members of the Federal Legislature.
4. It would be appropriate to fix the term of office of the President or directly elected Prime Minister for a period of five years.
5. (In case of a system with the Prime Minister) it would be appropriate to elect the Prime Minister on the basis of majority votes of the Federal Legislature.
6. It would be appropriate to make a provision to elect the same person to the post of the Prime Minister for three times.
7. The tenure of office of the Head of the province should be for a period of five years.

Banjariya Village Development Committee, Bara District

1. The new constitution should make the provision to give all the executive power in the President (Presidential system) with no Prime Minister.
2. It would be appropriate to call the Head of the State the President.
3. The President should be directly elected.
4. It would be appropriate to fix the term of office of the President or the directly elected Prime Minister President for a period of four years.
5. (In case of Prime Ministerial system) The Prime Minister should be elected by majority votes of the Federal Legislature.
6. It would be appropriate to make a provision of electing the same person to the office of the Prime Minister for two terms.
7. It would be appropriate to fix the term of office of the Head of the Province for a period of four years.

Kapilvastu District

1. The new constitution should make the provision of giving all the executive power to the President (Presidential system) with no Prime Minister.
2. It would be appropriate to call the Head of the State the Head of the State
3. The electoral college to elect the President should comprise the members of Federal and Provincial Legislature, as well as the representatives of local bodies.
4. It would be appropriate to fix the term of the President or directly elected Prime Minister for a period of five years.
5. (In case of a Prime Ministerial system) It would be appropriate to select the Prime Minister through a direct election.
6. It would be appropriate to make a provision of electing the same person to the post of the prime minister for two terms.
7. It would be appropriate to fix the term of the Head of the Province for a period of four years.

Civil Society Outreach for Constituent Assembly Submission

Suggestion for the Committee to Decide the Form of the Legislative Body

Suggestions collected from Muslim communities of Bara and Kapilwastu districts through democratic dialogue for the Constituent Assembly

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Prastoka VDC, Bara District

1. It will be appropriate to form a unicameral federal (central) legislature.
2. It will be appropriate to adopt a mixed election system to elect the members of the Upper House of the federal (central) legislature.
3. A member who is elected to the Upper House of the federal (central) legislature should be a minimum of 40 years of age.
4. It will be appropriate to adopt a mixed election system to elect the members of the Lower House of the federal (central) legislature.
5. It will be appropriate to adopt a mixed election system to elect the members of the legislature in the constituent units (provinces).
6. It will be appropriate to fix the term of the office of the members of the legislature in the constituent units (provinces) for a period of 5 years.
7. There should be a provision allowing the dissolution of the legislature of the constituent units (provinces) before the completion of its term.

Banjaria VDC, Bara District

1. It will be appropriate to form a unicameral federal (central) legislature .
2. It will be appropriate to adopt a mixed election system to elect the members of the Upper House of the federal (central) legislature
3. The minimum age of a member who is to be elected to the Upper House of the federal (central) legislature should be 40 years.
4. Proportional election system will be appropriate for the election of the members of the Lower House of the federal (central) legislature.
5. It will be appropriate to adopt proportional election system to elect the members of the legislature of the constituent units (provinces).
6. It will be appropriate to fix the term of the office of the members of the legislature in the constituent units (provinces) for a period of 4 years.
7. Provision should be made allowing the dissolution of the legislature of the constituent units (provinces) before the completion of its term.

Kapilwastu District

1. A bicameral legislature would be appropriate for the federal (central) legislature.
2. It would be appropriate to adopt first past the Post (Direct) election system for the election of the members of the Upper House of the federal (central) legislature.
3. The minimum age of the member who is elected to the Upper House of the federal (central) legislature should be 40 years.
4. First past the post (Direct) electoral system will be the appropriate system for the election of the members for the Lower House of the federal (central) legislature.
5. It would be appropriate to adopt the First past the post (Direct) electoral system for the election of the members for the legislature of the constituent units (provinces).
6. It would be appropriate to fix the term of the office of the members of the legislature of the constituent units (provinces) to be 5 years.
7. There should be a provision allowing the dissolution of the legislature of the constituent units (provinces) even before the completion of its term.

Civil Society Outreach for Constituent Assembly Submission

Suggestion for the Committee to Decide on the Basis for Cultural and Social Commitments

**Suggestions collected from Muslim communities of Bara and Kapilwastu
districts through democratic dialogue for the Constituent Assembly**

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Prastoka VDC, Bara District

1. Urdu language should be recognized as the official language of the central government.
2. It may be appropriate to decide regional (provincial) language on the basis of the language spoken by a large majority of people.
3. The language of official business at the local bodies should be determined on the basis of the local languages.
4. Provision of compulsory education in mother tongue is not nessasry.
5. The following works should be done for socio-cultural changes:
 - a. End of ethnic discrimination and untouchability
 - b. End of all forms of exploitation and discrimination against women
 - c. Social evils and ill-practices such as dowry and polygamy should be made punishable by law.
 - d. Provision should be made for women to have equal access to parental property.

Banjria VDC, Bara District

1. It would be appropriate to determine the official language of the central government on the basis of the language spoken by majority of the population and language (mother tongue) groups.
2. It would be appropriate to determine the regional (provincial) language on the basis of the population of language (mother tongue) groups.
3. The language of official business at the local bodies should be determined on the basis of the local languages.
4. It is necessary to make a provision of compulsory education in the mother tongue.
5. The following works should be done for socio-cultural changes:
 - a. End of ethnic discrimination and untouchability
 - b. End of all forms of exploitation and discrimination against women
 - c. Social evils and ill-practices such as dowry and polygamy should be made punishable by law.
 - d. Provision should be made for women to have equal access to parental property.

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Kapilwastu District

1. It may be appropriate to decide the official language of the central government on the basis of the (size of the) population speaking a language (mother tongue).
2. It may be appropriate to decide the regional (provincial) language on the basis of (size of the) population speaking a language (mother tongue).
3. The language(s) of official business at local bodies should be determined on the basis of the regional (provincial) language/s.
4. Provision should be made for compulsory education in the mother tongue
5. The following works should be done for socio-cultural changes:
 - a. End of ethnic discrimination and untouchability
 - b. End of all forms of exploitation and discrimination against women
 - c. Social evils and ill-practices such as dowry and polygamy should be made punishable by law.
 - d. Provision should be made for equal access of women to parental property

Civil Society Outreach for Constituent Assembly Submission

Suggestion for the Committee on the Judicial System

Suggestions collected from Muslim communities of Bara and Kapilwastu districts through democratic dialogue for the Constituent Assembly

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Prastoka VDC, Bara District

1. It will be appropriate to have three-layer of courts in the new constitution.
2. It will be appropriate to appoint judges by a judicial council or similar other mechanism.
3. It would be appropriate for a person to be at least 45 years of age to be appointed as the judge.
4. The retiring age of the judge should be 60 years
5. In order to be appointed as a judge a person should meet the followings qualifications:
 - a. S/he should be a Nepali citizen;
 - b. S/he should have attained a certain age;
 - c. S/he should have certain legal qualification and experience, and
 - d. S/he should not be convicted of a criminal offence, indicating moral degradation.
6. A judge will cease to be in office on the followings grounds:
 - a. Lack of competency
 - b. Bad moral conduct
 - c. Non-compliance to the code of conduct
 - d. Involvement in criminal offence, indicating moral degradation.

Banjaria VDC, Bara District

1. It will be appropriate to have two layers of courts in the new constitution.
2. It will be an appropriate method to appoint the judge through parliamentary hearing
3. A person should be at least 45 years of age to be appointed as the judge.
4. The appropriate age of a judge for retirement should be 60 years.
5. A person should meet the following qualifications to be appointed as a judge:
 - a. S/he should be a citizen of Nepal;
 - b. S/he should have attained a certain age;
 - c. S/he should have certain legal qualification and experience, and
 - d. S/he should not be convicted of a criminal offence, indicating moral destitute.
6. The judge should be removed from office on the following grounds:
 - a. Lack of competency
 - b. Bad moral conduct
 - c. Non compliance to the code of conduct
 - d. Involvement in criminal offence, indicating moral destitute.

Kapilwastu District

1. It will be appropriate to have two layers of courts in the new constitution.
2. The appropriate method to appoint a judge would be through the parliamentary hearing
3. A person should be at least 45 years of age to be appointed as the judge.
4. It would be appropriate for a judge to retire at the age 70 years.
5. The following qualifications should be the basis for the appointment of a judge:
 - a. S/he should be a Nepali citizen
 - b. S/he should have attained a certain age
 - c. S/he should have certain legal qualification and experience; and
 - d. S/he should not be convicted of any criminal offence, indicating moral degradation
6. A judge should be removed from office on the grounds of the followings:
 - a. Lack of competency
 - b. Bad moral conduct
 - c. Non compliance to the code of conduct
 - d. Convicted of a criminal offence, indicating moral degradation.

**Civil Society Outreach for Constituent Assembly
Submission**

**Suggestion for the Committee to Decide on the
Structure of the Constitutional Bodies**

**Suggestions collected from Muslim communities of Bara and Kapilwastu
districts through democratic dialogue for the Constituent Assembly**

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Prastoka VDC, Bara District

1. Future forms of the constitutional bodies in the federal governance system should be as follows:

S.N.	Constitutional bodies	Central	Provincial	Mixed
1	Public Service Commission			√
2.	Election Commission			√
3.	Commission for Investigation of Abuse of Authority			√
4.	National Human Rights Commission			√
5.	Auditor General			√
6.	Other Commissions			√

2. The following constitutional bodies will be needed for the governance of the state:

- a. Public Service Commission
- b. Election Commission
- c. Commission for Investigation of Abuse of Authority
- d. National Human Rights Commission
- e. **Auditor General**
- f. National Muslim Commission

Banjaria VDC, Bara District

1. Future forms of the constitutional bodies in the federal governance system should be as follows:

S.N.	Constitutional bodies	Central	Provincial	Mixed
1.	Public Service Commission			√
2.	Election Commission			√
3.	Commission for Investigation of Abuse of Authority			√
4.	National Human Rights Commission			√
5.	Auditor General			√
6.	Other Commissions			√

2. The following constitutional bodies will be needed for the governance of the state:

- a. Public Service Commission
- b. Election Commission
- c. Commission for Investigation of Abuse of Authority
- d. National Human Rights Commission
- e. **Auditor General**
- f. National Muslim Commission

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Kapilwastu District

- 1. Future forms of the constitutional bodies in the federal governance system should be as follows:**

S.N.	Constitutional bodies	Central	Provincial	Mixed
1	Public Service Commission		✓	
2.	Election Commission		✓	
3.	Commission for Investigation of Abuse of Authority		✓	
4.	National Human Rights Commission		✓	
5.	Auditor General		✓	
6.	Other Commissions		✓	

7. The following constitutional bodies will be needed for the governacne of the state:

- a. Muslim Commission
- b. Dalit Commission
- c. Commission on Indigenous and Ethnic Peoples
- d. Women Commission
- e. Supreme Court**
- f. Election Commission
- g. Commission for Investigation of Abuse of Authority

Civil Society Outreach for Constituent Assembly Submission

Suggestion for the Committee on Fundamental Rights and Directives Principles

**Suggestions collected from Muslim communities of Bara and Kapilwastu
districts through democratic dialogue for the Constituent Assembly**

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Prastoka VDC, Bara District

- 1. The citizenship of Nepal should be acquired on the basis of the following:**
 - a. The person should have resided in Nepal for at least 10-15 years
 - b. S/he should be born in Nepal

2. People should have the right to live their lives according to the teachings of their own religion.

- 3 Just because of beaing Dalit, the Dalit people are facing the problems of disrespect and discrimination, and the prohibition to enter into temples.

- 4. The following provisions should be made in the constitution for the protection of Dalit rights :**
 - c. All forms of untouchability should be ended.
 - d. A provision should be made to punish those who practice untouchability.
 - e. A provision should be made for especial reservation for Dalits.

- 5. One faces the followings problems just for being a Madhesi:**
 - a. Attack on Muslims and mosques of Nepal as a repercussion of the incidents that have place in Muslim countries
 - b. No provision of hoilday during long Muslim festivals such as, Ramjan, Kurbani and Moharram
 - c. Because of the fact that Urdu education is not recognized by the government, Urdu graduates are facing the problem of unemployment.

- 6. The following provisions should be made in the constitution for the protection of the rights of Muslim religious communities:**
 - f. The Government should give recognition to Urdu education
 - g. Modern education should be introduced in the Madarasa.
 - h. Madarasa Board should be formed.
 - i. Provisions should be made for teachers and free education in Madarasa.
 - j. Provisions should be made for reservation and employmental opportunities
 - k. There should be separate schools for boys and girl students.
 - l. Provision of reservation should be made in development aid.

- 7. One has to face the followings problems for just being a Muslim:**
 - m. Lack of equal access
 - n. Humiliation
 - o. Lack of facilities and oppportunities

8. There should be a provision of equal access to facilities and opportunities in the constitution for the protection of the rights of Madhesi people.

9. One has to face the followings problems for just being a Muslim:

- a. One has to face the loss of property owing to disputes over *Eidgah* and *Kabrastan* (Cemetery or graveyard)
- b. Attack on Muslims and mosques of Nepal as a repercussion of the incidents that have place in Muslim countries
- c. No provision of hoilday during long Muslim festivals such as, Ramjan, Kurhani and Moharram
- d. Because of the fact that Urdu education is not recognized by the government, Urdu graduates are facing the problem of unemployment.

Banjaria VDC, Bara District

- 1. The following should be the bases to acquire the citizenship of Nepal:**
 - a. S/he should have lived permanently in Nepal
 - b. S/he should have been born in Nepal
 - c. S/he should be 16 years old
 - d. S/he should have land in the name of her/his parent

- 2. People should have right to live and practice the religion of their choice, and there should be religious tolerance.**

- 3. One has to face the following problems for just being a Muslim :**
 - a. Untouchability and discrimination
 - b. Prohibition of entry to the public places
 - c. No access to constitutional bodies, army, police and security forces
 - d. No access to politics

- 4. The following provisions should be made in the constitution for the protection of the rights of Muslim religious communities:**
 - a. Government should give recognition to Urdu education
 - b. Provision should be made for a special reservation
 - c. There should be proportional representation in every sphere of the state.

- 5. One has to face the followings problems for just being a Madhesi:**
 - a. social discrimination
 - b. Humiliation
 - c. Ideological differences

- 6. There should a constitutional provision of equal access to facilities and opportunities for the protection of the rights of Madhesi people.**

- 7. One has to face the following problems for just being a Muslim:**
 - a. Untouchability and discrimination
 - b. Prohibition of entry to public places
 - c. No access to constitutional bodies, army, police and security forces
 - d. No access to politics

Kapilwastu District

- 1. The following should be the bases to acquire the citizenship of Nepal:**
 - a. S/he should acquire the age 16 years
 - b. S/he should have birth registration
 - c. S/he should have been born in Nepal
 - d. Genealogy

- 2. The following religious rights should be included in the constitution:**
 - a. Right to religion
 - b. Right to worship and perform religious rituals according to one's religion
 - c. Right against religious conversion

- 3. One has to face the followings problems for being a Muslim :**
 - a. Ethnic discrimination
 - b. Difficulty in reading the **AJAN**
 - c. Discriminated against for belonging to a minority group

- 4. The following provisions should be made in the constitution for the protection of the rights of Muslim religious communities:**
 - a. There should not be any discrimination on the basis of religion
 - b. Lingual problem

- 5. One has to face the followings problems for just being a Madhesi:**
 - a. Lingual problem
 - a. No access to state resources
 - b. No access of Madhesis to the constitutional bodies of the state
 - c. Problems relating to one's identity

- 6. The following provisions should be made in the constitution for the protection of the rights of Madhesis:**
 - b. The autonomous Madhesh as one province
 - c. There should be an end to discrimination between Madhesi and Pahadi people
 - d. A provision of the right to self determination

- 7. One has to face the followings problems for just being a Muslim:**
 - e. No holidays on Muslim festivals
 - f. Disputes arise while constructing Madarasa
 - g. Disputes arise while observing *Aajan*

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