The new Indian road to Lipu Lekh-Nepal’s protests

Part of: GS-II- International issues (PT-MAINS-PERSONALITY TEST)

(Indian express Explained)

Army Chief General M M Naravane said that Nepal’s protest against a newly built Indian road in Uttarakhand, up to Lipu Lekh pass on the China border, was at “someone else’s behest”. His statement has been widely taken to mean that Nepal was acting as a proxy for China, at a time when tensions have spiked sharply on the LAC between the Chinese PLA and and the Indian Army at Ladakh.

Importance

It is on the route of the annual Kailash Masarovar Yatra, which goes through Uttarakhand’s Pithoragath district. Defence Minister Rajnath Singh, who inaugurated it on May 8, said the road, built by the Border Roads Organisation, was important for “strategic, religious and trade” reasons. The 80 km road goes right up to the Lipu Lekh pass on the LAC, through which Kailash Mansarovar pilgrims exit India into China to reach the mountain and lake revered as the abode of Siva. The last section of 4 km of the road up to the pass still remains to be completed.

The government has underlined that through this improved route, yatris do not need the alternative routes now available for the pilgrimage, one through the Nathu La border in Sikkim and the other via Nepal, which entailed “20 per cent land journeys on Indian roads and 80 per cent land journeys in China. The ratio has been reversed. Now pilgrims to Mansarovar will traverse 84 per cent land journeys on Indian roads and only 16 per cent in China.”

Importance of the road

The new road is also expected to provide better connectivity to Indian traders for the India-China border trade at the Lipu Lekh pass between June and September every summer. The country, being surrounded by some difficult neighbours, with a view to keeping pace, construction of roads and development of adequate infrastructure along the borders is a vital necessity

Is Nepal’s objection new or sudden?

On the day the road was inaugurated, there was an outcry in Nepal. The next day the Nepal Foreign Ministry issued a statement expressing disappointment over New Delhi's “unilateral” act, against the spirit of the bilateral “understanding. Kathmandu has pointed out that it has brought up its concerns on the border issue several times, including in November 2019, when Delhi put out its new political map of India to show the bifurcation of Jammu & Kashmir.

Nepal's objection then was the inclusion of Kalapani in the map, in which it is shown as part of Uttarakhand. The area falls in the trijunction between India, China and Nepal. The
publication of the map brought protesters out on the streets. The Nepal government described India’s decision as “unilateral” and claimed that it would “defend its international border”, while the Ministry of External Affairs then said that map “accurately reflects the sovereign territory of India”.

Historical pact

- Nepal is right in pointing out that the border issue is not new, and has come up now and again in the bilateral relationship since the 1960s.
- In the 1980s, the two sides set up the Joint Technical Level Boundary Working Group to delineate the boundary, which demarcated everything except Kalapani and the other problem area in Susta.
- When it was discussed at the prime ministerial level in 2000, between Atal Bihari Vajpayee and B P Koirala during the latter’s visit to Delhi, both sides agreed to demarcate the outstanding areas by 2002. That has not happened.
- The Nepal-India border was delineated by the Sugauli Treaty of 1816, under which it renounced all territory to the west of the river Kali, also known as the Mahakali or the Sarada river. The river effectively became the boundary.
- The terms were reiterated by a second treaty between Nepal and Britsh India in 1923. The rival territorial claims centre on the source of the Kalai.
- Nepal's case is that the river originates from a stream at Limpiyadhura, north-west of Lipu Lekh. Thus Kalapani, and Limpiyadhura, and Lipu Lekh, fall to the east of the river and are part of Nepal’s Far West province in the district of Dharchula.
- New Delhi's position is that the Kali originates in springs well below the pass, and that while the Treaty does not demarcate the area north of these springs, administrative and revenue records going back to the nineteenth century show that Kalapani was on the Indian side, and counted as part of Pithoragarh district, now in Uttarakhand. Both sides have their own British-era maps as proof of their positions.

India-China-Nepal

Since the 1962 war with China, India has deployed the ITBP at Kalapani, which is advantageously located at a height of over 20,000 ft and serves as an observation post for that area. Nepal calls it an encroachment by the Indian security forces. Nepal has also been unhappy about the China-India trading post at Lipu Lekh, the earliest to be established between the two countries. Shipkila in Himachal followed two years later, and Nathu La only in 2006.

Nepali youth protested in Kalapani, and there were protests in Nepal's Parliament too when India and China agreed to increase border trade through Lipu Lekh during Prime Minister Narendra Modi's visit to Beijing in 2016. Though China has said nothing about the road construction to Lipu Lekh, it has protested similar road building activity at other places on the Indian side close to the LAC, including Ladakh.

In view of all this, Kalapani and the approach to Lipu Lekh has only grown in strategic importance for India, especially as relations between the two countries have remained uneven over the last few years, and China has upped its game for influence in India’a neighbourhood.
India’s tacit support to a blockade of the landlocked country during protests over the new Constitution in Nepal by the Madhesi community was an inflection point in the relationship. Despite the open border with India and the people to people contact through the hundreds of thousands of Nepali people who live and work in this country, the levels of distrust in Nepal about India have only increased.

For its part, India perceives Nepal to be tilting towards China under the leadership of Prime Minister K P Oli and his Nepal Communist Party. Responding to Nepal’s protests, India has said it is ready to discuss the matter at foreign secretary level talks between the two countries.