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**FOREWORD BY EDITOR-IN CHIEF**

*Prof. (Dr.) Yubaraj Sangroula*

**FEATURE ARTICLE**

Emergence of Principle of Sic Utere Tuo Ut Alienum Non-Laedes in Environmental Law and Its Endorsement by International and National Courts: An Assessment

*T.R. Subramanya and Shuvro Prosun Sarker*

**ARTICLES**

The Problem of Rohingya Refugees in Bangladesh: A Critical Analysis

*Nour Mohammad*

Round Tripping and Treaty Shopping: Controversies in Bilateral Agreements & Remedies Forward-The Double Taxation Avoidance Agreement (DTAA) between Mauritius and India and the Dilemma

*Rajendra Prasad Gumpth, Anupam Jha and Samperchand Pudaruth*

Hindu Kush Himalayan Ecosystem as a Common Concern of Humankind: Imperative for Better Regional Jurisprudence

*Debasis Poddar*

Citizens of an Enemy State: The Enemy Alien Disability Rule in the Constitution of Nepal

*Prakat Khatri and Kundan Raj Sharma*

Protection of Traditional Knowledge: Emerging Issue of Intellectual Property Law

*Madhu Soodan Poudyal*

Status of Differently-abled Persons in Work Place: A Study of Courts inside Kathmandu Valley

*Anupa Aryal*

Conflict of Laws: Jurisdiction of the Court and Choice of Law in Cross-Border Matrimonial Suit in India

*Indrani Kundu*

Judicial Activism in Regulating 'Human Rights Violations' by Police Authorities in India

*Sandeepa Bhat B.*

An Appraisal of Tourism Law: Eclectic in Nature

*Narayan Prasad Giri*

Right to Education and Employment: A Step Towards Empowering Transgender Community

*Naresh Kumar Vats and Megha Purohit*

The Rise of Digital Era: A Changing Scenario of E-governance in Nepal

*Ojaswi K.C. and Roshani Regmi*

The Extra-Territorial Applicability of the Principle of Non-Refoulement and Its Interception with Human Rights Law

*Shishir Lamichhane*

'A Right to Water' in International Human Rights Law: Flow from Implicit to Explicit Right

*Swechhya Sangroula*

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# The Rise of Digital Era: A Changing Scenario of E-governance in Nepal

Ojaswi K.C. and Roshani Regmi\*

## Abstract

*The development of Information Communication Technology (ICT) has made the world smaller day by day. The domain of ICT can not only be seen in people's life, but also in the plans and policies of the state, as well. As its consequence, a new era has emerged in the governance system. Today, the paradigm of governance has shifted from being a paperwork hassle to being an effective tool for bridging the gap between the government, public and private sector. This shift has resulted in the emergence of Electronic governance (e-governance). E-governance proves to be monumental in ensuring people's participation and upholding democratic norms. In this perspective, this paper makes an effort to elucidate on the role of e-governance in Nepal by providing a conceptual framework of existing scenario of e-governance.*

## Introduction

E-governance is an alter version of governance in an electronic form. The idea behind e- governance is not to replace the whole system but to facilitate the works of government and private sectors for effective and efficient governance. In democratic nations, people's participation is seen as one of the fundamental factors for the functioning of governance. E-governance provides a platform for ensuring people's participation in governing process. As defined in UNPA & ASPA

E-governance is the public sector's use of the most innovative information and communication technologies, like the Internet, to deliver to all citizens improved services, reliable information and greater knowledge in order to facilitate access to the governing process and encourage deeper citizen participation.<sup>1</sup>

Besides people's participation, e-governance also ensures improved service delivery through the use of ICTs. E-Governance has two dimensions, first is the application of Information Technology for improved administration, and second, the application emerging Cyber Society in Governance.<sup>2</sup> One important feature of e-governance is that it is a network between government and stakeholders. The network between government and stakeholders is facilitated by different operators

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<sup>1</sup> Anthony Ming, Omar Awan & Naveed Somani (eds), *E-governance in Small States*, 1<sup>st</sup> edn, Commonwealth Secretariat, London, 2013, p.2.

<sup>2</sup> Na. Vijayahankar, 'Citizen and E-Governance-Cyber Law and Related Issues', *AMIC Seminar*, Chennai, 12 December 2000 available at <http://unpan1.un.org/intradoc/groups/public/documents/apcity/unpan002165.pdf> accessed on 26 November 2016.

viz. government, citizens, business and employees. Figure A.1 illustrates a tripartite relation between state, people and government formed by e-governance. As e-governance provides a platform for state, people and government to connect with each other, there is dependability between them which leads to constant check and balance as needed in democratic societies.

### **Blocks and Phases of E-governance**

Various scholars have identified different stages of e-governance. E-governance can be categorized into following blocks<sup>3</sup>; Government to citizen (G2C), Government to Government (G2G), Government to Business (G2B) and Government to employees (G2E):

#### **1. Government to Citizen (G2C):**

Government to citizen model embodies the process through which government can interact with citizens. It provides citizens a proactive role in planning, executing and implementing government's plans and policies which lead to the government becoming more transparent and accountable. In this framework, government and citizens have direct connection in various tasks like filing tax return, personal details, cases, individual transaction, procurement, etc.

#### **2. Government to Business (G2B):**

Government to Business model consists of the relation between government agencies and private business. This framework provides a platform to private and public business to run their business through e-service, e-transaction and e-procurement.

#### **3. Government to Government (G2G):**

Government to Government model is comprised of government to government relations. Through this model, government organs like state, federal and local level can interface their works from one department or office to another by sharing information, database and using common platform for government activities.

#### **4. Government to Employees (G2E):**

Government to employee model represents relationship between government and its employees. This model enables government and its employees to interact with one another by creating a two-way interaction system. The framework of E-governance includes E-government, E-governance and E-administration.<sup>4</sup> E-government comprises of inter-organizational relationships for policy coordination and policy implementation which is provided to citizens via electronic means. E-governance, on the other hand, eases interaction between citizens, government organizations, public and elected officials- through democratic

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<sup>3</sup> Micheal Backus, 'E-Governance in Developing Countries', *IICD Research Brief*, 2001 available at <http://www.bibalex.org/Search4Dev/files/288383/119334.pdf> accessed on 5 March 2017.

<sup>4</sup> UN Division for Public Economics and Public Administration, *Benchmarking E-government, A Global Perspective: Assessing the UN Member States*, United Nations, New York, 2002.

process- in transparent decision making for open government. E-administration structures intra-organizational relationships for the management of policies and knowledge regarding ICTs.

E-governance progresses from one stage to another. Although many scholars<sup>5</sup> have separate approaches to evolutionary phases of e-governance, collectively they can be summarized as follows:<sup>6</sup>

- **Emerging presence:**

The first phase of E-governance includes a start-up web presence of the country's official website including telephone number and address of public officials. Special features like FAQ may also be traced. There is uniformity in websites and domains of all government agencies.

- **Enhanced Presence:**

In enhanced presence, country's online activity progresses through its expansion of official websites. The web content will build two way interactions between web browser and government official through its features of e-mail address. Government publications, Legislations, newspapers, profile of ministries and departments are some examples of enhanced presence.

- **Interactive Presence:**

In interactive phase, government starts to use internet for wide range of government related activities. It gives citizens access to send email and comments regarding those activities. This would increase people's participation and ensure transparency.

- **Transactional Presence:**

Transactional phase provides citizens to obtain visa, passports, record their vital registrations, pay tax and fines through the internet. The websites will be secure and a user password is given to citizens. The data used by stakeholder is encrypted and personal data of users is protected.

- **Seamless or fully integrated:**

It is the final stage of e-governance. This stage allows people to access all governmental service without any forms of demarcation. The services will be based on the common needs rather than departmentalization.

## Genesis of E-governance and Its Present Global Scenario

E-governance is a relatively new concept with a little over two decades of history. As different innovations were introduced in information and communication sector, governments of various nations gradually realized its potential in public

<sup>5</sup> Karen Laynea & Jungwoo Lee, 'Developing Fully Functional E-government: A Four Stage Model', vol.18, *Information Quarterly* p.122, 2001, p.136; Anders Persson & Göran Goldkuhl, 'Stage-Models for Public E-services - Investigating Conceptual Foundations', *Second Scandinavian Workshop on E-Government*, Copenhagen, February 14-15 2005.

<sup>6</sup> UN Division for Public Economics and Public Administration (n 4)

service sector, private sector and also in stimulating democratic processes. In United States, the early 1990's call for a change from conventional bureaucratic government to a more entrepreneurial government was more assertive, customer driven and result oriented phenomenon.<sup>7</sup> The Clinton-Gore National Performance Review (NPR) emphasized the importance of use of information technology as a tool of administrative transformation. As a result, the Gore report on reinventing the government (Government Reinventing Process) was published, in which the main objective was 'to create a government that works better and costs less'. The term electronic government was coined in this very process. Subsequently, many policies were adopted. There are a number of international declarations and common strategies which deal with the government's use of ICT. Some of these include the Hyderabad Declaration of 2004, Kuala Lumpur Declaration of 2003, Tokyo Declaration of 2003, The Pacific Islands ICTs Policy and Strategic Plan of 2002, E-ASEAN Framework of 2000, and E-APEC Strategy of 2000<sup>8</sup>. The United Nation Educational Scientific and Cultural Organization (UNESCO) has focused on the importance of ICT in governance system. The key actors, involved in internet governance, are: United Nations Department of Economic and Social Affairs (UN DEPA), International Telecommunication Union (ITU), Organization for Economic Cooperation and Development (OECD), Internet Corporation for Assigned Names and Numbers (ICANN), Internet Society (ISOC), Internet engineering Task Force (IETF), and Internet Governance Forum (IGF).<sup>9</sup>

The E-Government Readiness Index (EGDI) was created in 2003 to measure the quality of e-government in the member states of UN. The EGDI focuses on scope and quality of online services, telecommunication connectivity, and human capacity in order to rank the countries. While ranking, the country's size, its infrastructure availability and ICT penetration, the level of education and skill are also taken into account.<sup>10</sup>

### **E-governance in Nepal: Need of the Hour**

Importance of ICTs in Nepal cannot be undermined at any excuse. The decentralization of power from central to local level means that the municipalities and other local bodies have larger development responsibilities of their respective areas. As per the data published by Nepal Telecommunication Authority, there were 1,39,62,917 internet subscribers in Nepal by August 2016 which means that the

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<sup>7</sup> Dr. Paul Schapper, 'Modernization of Nepal', *High Level Seminar on E-Governance*, Kathmandu, 5-6 May 2007, available at <http://www.unapcict.org/events-documents/Seminar-eGov-Nepal-Report.pdf> accessed on 12 February 2017.

<sup>8</sup> UNESCO, 'UNESCO and the Use of the Internet in its Domains of Competence, 29 April 2011, *UNESCO Website*, available at [http://www.unesco.org/fileadmin/MULTIMEDIA/HQ/ED/ICT/pdf/useinternetdomain\\_s.pdf](http://www.unesco.org/fileadmin/MULTIMEDIA/HQ/ED/ICT/pdf/useinternetdomain_s.pdf) accessed on 10 March 2017.

<sup>9</sup> Ibid.

<sup>10</sup> United Nations Department of Economic and Social Affairs, UN E-Government Knowledge Database Methodology, *United Nations Department of Economic and Social Affairs Website*, available at <https://publicadministration.un.org/egovkb/en-us/About/Methodology> accessed on 16 February 2017.

internet penetration has reached up to 52.7% of the total population.<sup>11</sup> According to European researches, local governments in developed countries are offering e-services to approximately 77% of public.<sup>12</sup> ICTs provide an easier way of delivering such services. "The advent of the personal computer and other low cost electronics suggested that information technology might be the ultimate tool of decentralization."<sup>13</sup> Through ICTs, governments are able to reach multiple levels at the same time. Hence, e-governance can be an effective tool for good governance.

E-governance is also needed to ensure people's participation in nation building activities. The by-product of e-governance would be a see-through democracy, where people are as much in charge as the state is. It provides citizens a platform to work together, especially in countries like Nepal, which do not have friendly infrastructure or topography. E-governance provides an easy choice to stay home and partake in governmental activities like electing parliament members or fulfilling duties such as paying taxes, completing registration works and many other such activities. It also builds a bridge between public administration, public service and people's participation. A single point of availability for all these services is the ultimate goal of e-governance. Furthermore, federal restructuring requires the local, provincial and central government to carry out their transactions smoothly and effectively. Hence, both the relations between government to government and government to citizens must be addressed. This is easily possible through the use of ICTs.

Another aspect in which Developing countries could use ICTs is for tackling corruption. Nepal has a weak position in terms handling issues related to corruption. Transparency International has ranked Nepal as 131<sup>st</sup> in least corrupt nations with a score of only 29/100.<sup>14</sup> ICTs provide effective methods to tackle corruption related issues. Free access to data, publications of government's key data online, allowing citizens to access information about public service are some notable ways in which governments could use ICTs for reducing corruption.<sup>15</sup>

It also provides platforms which allow citizens to report corruption or grievances towards the public sector. E-governance ensures time and cost benefit, resulting in an effective and efficient delivery mechanism of public sector. Bureaucratic processes can be eased by filing and storing required data. For instance, in Estonia

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<sup>11</sup> Nepal Telecommunication Authority, 'NTA-MIS-113', *Management Information System Report*, 2016 available at <http://www.nta.gov.np/en/mis-reports-en>, accessed on 2 May 2017.

<sup>12</sup> Open Society Institute, 'ICT for Local Government', *E-Governance Academy*, 2007 available at [http://ega.ec/wp-content/uploads/2015/02/project\\_ICT\\_for\\_Local\\_Government.pdf](http://ega.ec/wp-content/uploads/2015/02/project_ICT_for_Local_Government.pdf), accessed on 10 March 2017.

<sup>13</sup> Paul Starr, 'Cyber Power and Freedom', in James E. Harf & Mark Owen Lombardi (eds), *Taking Sides: Clashing views controversial Global Issues*, McGraw-Hill Education, New York, 2003.

<sup>14</sup> Transparency International, *Corruption Perception Index 2016*, 25 January 2017, *Transparency International Website*, available at [https://www.transparency.org/news/feature/corruption\\_perceptions\\_index\\_2016](https://www.transparency.org/news/feature/corruption_perceptions_index_2016) accessed on 15 March 2017.

<sup>15</sup> Tim Davies & Silvana Fumega, 'Mixed Incentives: Adopting ICT Innovations for Transparency, Accountability, and Anti Corruption', *U4 Anti-Corruption Resource*, 2014, available at <http://www.u4.no/publications/mixed-incentives-adopting-ict-innovations-for-transparency-accountability-and-anti-corruption/> accessed on 9 March 2017.

people can get tax overpayments back within two days of filing their return<sup>16</sup>. In Korea, people can perform their vital registration in their television.<sup>17</sup> In U.K, people can file complaints and raise petitions online. Besides this, higher human costs can be replaced by lower ICT costs, cutting the overall process rate. This cost-effectiveness in governmental processes can be highly productive to developing countries.<sup>18</sup>

## Challenges

The potential of e-governance has been considerably enjoyed by developed countries but developing countries are yet to realize its full benefits. The complexities of e-governance possess various challenges for developing countries. These challenges are multifarious as well as manifested in the forms of computer/internet illiteracy, infrastructural barriers, policy issues and public adaptation. Infrastructural barriers possess a momentous hindrance in achieving full benefits of e-governance. It is difficult to provide full benefits of ICTs in developing countries like Nepal where infrastructure is not very advanced. Inter-connectivity is seen as major factor for sharing and delivering information and services<sup>19</sup>. With its difficult topography, connectivity has become a major hurdle in Nepal. Furthermore, Nepal has a considerable divide between the rich and poor population and the literate and illiterate population which creates a wide division between the ICT haves and have not. This proves to be major setback in achieving a uniform enjoyment of ICT services, and creates a biased opportunity favorable to the rich and urban residents.<sup>20</sup> As a result, developing countries might not be able to provide an impartial access to public service that consequently it brings up the issue of digital divide. Digital divide refers to the disparity between people and countries in digital access. Equality is one of the fundamental rights and such division might render the use of digital applications as unconstitutional. An important factor to consider in e-governance is the political will of governments of developing countries. It is crucial for the government to be proactive in order to be able to meet the infrastructural requirements needed for effective e-governance. The political will of the governments is required in the allocation of budgets for such developments.

The mere presence of infrastructure alone is not sufficient for the full utilization and application of e-government. E-readiness and IT literacy are also very

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<sup>16</sup> Sten Tamkivi, 'Lessons from the World's Most Tech-Savvy Government', *The Atlantic*, 24 January 2014, available at

<https://www.theatlantic.com/international/archive/2014/01/lessons-from-the-worlds-most-tech-savvy-government/283341/> accessed on 1 March 2017.

<sup>17</sup> Indrajit Basu, 'Gangnam District, South Korea Sets International Digital Example', *Government Technology*, 9 June 2008, available at <http://www.govtech.com/e-government/Gangnam-District-South-Korea-Sets-International.html> accessed on 1 March 2017.

<sup>18</sup> Richard Heeks, 'Understanding E-Governance for Development', I-Government working paper no.11, Institute for Development Policy and Management, 2001, p.6.

<sup>19</sup> Subhajit Basu, 'E-Government and Developing Countries: An Overview', vol.18, *International Review of Law Computers and Technology* 109, 2004, p.132.

<sup>20</sup> Valentina Ndou, 'E – Government for Developing Countries: Opportunities and Challenges', *The Electronic Journal on Information Systems in Developing Countries*, 2004 available at <http://www.ejisdc.org/ojs2/index.php/ejisdc/article/view/110/110> accessed on 10 March 2017.

important factors that cannot be overlooked<sup>21</sup>. In developing countries such as Nepal, paper based products are still very persistent. The people must not only be able to understand how to use IT application but must also have a desire to use them; such reluctance may be the outcome of distrust towards the ICTs. Hence, security concerns appear to be a major issue in developing countries such as Nepal.

The citizens have an earnest concern regarding who will see and access their personal information. It is a difficult task for the governments to ensure security in terms of information privacy. Individuals must be able to control the terms under which personal information is acquired, disclosed and used. An even more challenging task for the government is to strike a balance between the need to collect information and to address privacy concerns. Developing countries lack the required mechanisms to ensure such protection. It is not only important to have adequate laws in place but also to ensure the implementation of such laws.

Right to privacy is a fundamental right guaranteed by the Constitution of Nepal<sup>22</sup> and the Electronic Transaction Act has criminalized the breach of confidentiality of electronic data. These laws have to be implemented and monitored.<sup>23</sup> Another challenging factor is the lack of adequate human resource. In Nepal, there is a shortage of adept human resource that are capable of fully utilizing the ICTs for providing services. The implementation of e-governance requires not only citizens who are comfortable in using such services but also requires service providers who are competent to use information technology. This means that appropriate technical skills are central to the utilizations of ICTs in public sector. Nepal does not have enough qualified human resource required for administration of e-governance.

### **Where Nepal Stands: Legal Framework and Initiatives taken**

Nepal has already paved its path for the development of laws regarding e-governance. The government of Nepal has started observing e-governance in bringing about a major standard shift in the way public administration functions as a possible means of good governance. For this purpose, various laws, policies, rules and regulation have been enacted. Following are the foundational legislation in this regard:

1. The Tenth Plan 2059-2067 BS (2002-2007 AD)

The main objective of the tenth plan is to include the participation of the private sector in order to expand and develop information technology in rural areas. It aims at encouraging the private sector investment by bringing about legal and procedural reforms. Furthermore, the plan has objectives relating to promotion of good governance and social services. It also aims at enhancing accessibility to general people by establishing Community Information Centers in rural areas in order to give out information regarding agriculture, health, education and other sectors. Programs such as e-commerce, distance-education, distance-processing and transfer of technologies to the rural areas are put into place in order to enable IT

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<sup>21</sup> Ibid.

<sup>22</sup> *Constitution of Nepal*, 2015, art.28.

<sup>23</sup> *Electronic Transactions Act*, Nepal, 2008 (*Bidutiya Karobar Ain* 2063).



services. One major obstacle in Nepal is the supply of electricity to rural areas. The tenth plan addresses this issue by introducing alternative energy supplies to different sources.

2. Telecommunication Policy 2060 BS (2004 AD).

The telecommunication Policy aims at making telecommunication services reliable and accessible to all people of Nepal. It provides for collaboration with the private sectors in order to alleviate poverty and develop rural areas. One important plan of the Telecommunication Policy is to provide appropriate ICT enabled services. Utilizing rural telecommunication fund for rural telecommunication development is also an important factor set up by the policy.

3. National Information and Communication Technology Policy 2072 BS (2015 AD).

This policy aims at transforming Nepal as an Information Technology based nation. It plans to do so by establishing ICT friendly businesses, assisting in poverty alleviation, encouraging private sector to invest in information technology and preparing qualitative human resource in IT. Furthermore, the policy has comprehensive outline related to cyber securities such as the establishment of a national cyber security cell which will help to prevent, detect, defend and recover from cyber-attacks. Policies relating to the expansion of IT expertise with in-depth knowledge regarding cybercrime security have also been included.

4. Electronic Transaction and Digital Signature Act 2063 BS (2008 AD).

This act covers aspect relating to the creation, storage and transmission of information technologies. This act also has provisions relating to cybercrimes. Punishment is allocated to the perpetrators and accomplices of the offenders. This helps in maintaining some form of security to the information used by ICTs. One very important feature of this act is that it gives legal recognition to information posted on websites and communication done via electronic devices. Hence, the electronic transactions are given legitimacy in the same manner as traditional manual transactions are accepted. Another important element of this act is the provision of a separate judicial body i.e. IT tribunal and also an Appellate tribunal which look into cases related to computer and cybercrime.

5. National Broadband Policy 2071 BS (2014 AD).

As per the national broadband policy, ICT plays an important role in Nepal's growth and developmental aspirations. The main vision of the policy is to achieve affordable, secure, reliable and ubiquitous broadband for socio-economic transformation of Nepal. The policy aims to have at least 30% of household subscribing for broadband service by 2018 with networks passing at least 45% of premises.

6. Ten Year Master Plan for the Development of Telecommunications Sector in Nepal 2068-2077 BS (2011-2020 AD).

One of the main aims of this plan is to ensure accessibility of reliable and

quality telecommunication services to all the inhabitants of Nepal on a sustainable basis and at a reasonable cost as well. Additionally, the plan also aims at providing free and fair competition to all the telecommunication service providers. Ensuring the development of qualitative human resource capacity and ensuring the protection of consumers' interest while raising consumer awareness for cost, quality and reliability of the material are important factors that the plan aims to address.

7. High-level Commission for Information Technology.  
The high level commission for information technology (HLCIT) aims at facilitating the use of ICTs. Major objective of the commission is to provide strategic direction and appropriate policy responses for the development of ICT all over the country.
8. Right to Information Act 2064 BS (2007 AD).  
The constitution of Nepal recognizes right to information as a fundamental right. Likewise, the Right to Information Act (2007) was introduced as an effort to guarantee peoples' right to information. The act aims to improve transparency and accountability in governance processes. It sets provision for proactive disclosures of public information for the benefits of public.

ICT has been incorporated in Nepal's present governance system. A good example of the use of ICT services for the purpose of governance is *Hello Sarkar*. *Hello Sarkar*, which translates to Hello Government, is the government's platform in which citizens can lodge grievances regarding the governance system. These complaints are then categorized according to the urgencies and are sent to concerned authorities to be addressed. Although there are many implementation challenges, *Hello Sarkar* has proven to be an exemplary use of ICT for governance. Moreover, the service has now been set up in various places in Nepal including Pokhara and Hetauda.

The National Identification Card is also another step taken by the government to incorporate information technology in the governance system. The use of Biometric identity card can be a useful administrative tool that will increase government efficiency and bring down criminal activities. The use of ICTs is also seen in the form of various e-services in Nepal. The website of the Inland Revenue Department allows for online tax filing. It has been made user friendly and allows for people with basic ICT knowledge to use the e-service without requiring any further training. Likewise, the website of the Office of the Company Registrar allows for online company registration. This has curbed the bureaucratic hassle required to register a company, to some extent. It allows applicants to send their documents via the internet and receive an email regarding the approval of the proposed name of the company or the reasons for denial within 15 days of the application. Besides these, the Electronic driving license and vehicle registration system allow citizens to register their applications for license through online.

The recent introduction of Digital Signatures has further made the process easier and safer. Digital signature has received governmental recognition in Nepal. The Ministry of Information and Communication Technology (ICT) regulates the digital signature. The Office of the Controller of Certification (OCC) is the

certifying authority for Digital signature. It grants permission and looks after usage of Digital signature. The Electronic Transaction Act 2063 has many provisions relating to Digital signatures and has given legal recognition to Digital signature. Similarly, the use of SMS system to disseminate information regarding cases in Supreme Court is another example of the use of ICT in the public service delivery. The website of Supreme Court keeps a record of all cases decided by it and can be accessed by the public.

### **Road Ahead**

New trends, such as SMART governance and social governance, have been emerging in the international governance system. It is important for Nepal to put such trends of E- governance into effective practice. Nepal is in the preliminary phase of E-governance. With the country now heading into a new political structure, e-governance has become more relevant and necessary. Various legal, institutional and functional mechanisms have been formulated in order to guarantee the use of ICT in the delivery of public service. Public participation and citizen centric administration (which is the core of new government system) can be ultimately put into effective exercise through an effective e-governance system. By replacing bureaucratic conventions, such as red-tapism with fast delivery of services and e-governance, it is expected that a strong culture of result oriented administration will be built. However, along with opportunities, challenges come forth also, which need attention from the stakeholders. The government cannot hold exclusive authority to effectively mobilize e-governance. It is the common responsibility of all the stakeholders involved. E-governance is here to stay and therefore, it is only beneficial for Nepal to build a better prospect for the utilization of e-governance.