

# THE ADMINISTRATIVE SYSTEM OF NEPAL

*From Tradition to Modernity*

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*To*  
*My Parents*



## Abbreviations

<b>ARPC</b>	<b>Administrative Reorganization Planning Commission</b>
<b>BDO</b>	<b>Block Development Officer</b>
<b>BGTR</b>	<b>Basantpur Goswara Tahvil Records</b>
<b>CDO</b>	<b>Chief District Officer</b>
<b>DDO</b>	<b>District Development Officer</b>
<b>D. No.</b>	<b>Document Number</b>
<b>FAO</b>	<b>Food and Agriculture Organization</b>
<b>HMG</b>	<b>His Majesty's Government (Nepal)</b>
<b>IAM</b>	<b>Indian Aid Mission</b>
<b>ICAO</b>	<b>International Civil Aviation Organization</b>
<b>ICM</b>	<b>Indian Cooperation Mission</b>
<b>ICS</b>	<b>Indian Civil Service</b>
<b>ICWA</b>	<b>Indian Council of World Affairs</b>
<b>ILO</b>	<b>International Labour Organization</b>
<b>MLR</b>	<b>Ministry of Law Records</b>
<b>NAI</b>	<b>National Archives of India</b>
<b>NPD</b>	<b>Nepal Press Digest</b>
<b>Progs.</b>	<b>Proceedings</b>
<b>PAD</b>	<b>Public Administration Department</b>
<b>PO</b>	<b>Panchayat Officer</b>
<b>PSC</b>	<b>Public Service Commission</b>
<b>PWD</b>	<b>Public Works Department</b>
<b>RRP</b>	<b>Regmi Research Project</b>
<b>UN</b>	<b>United Nations</b>
<b>UNDP</b>	<b>United Nations Development Programme</b>
<b>UNESCO</b>	<b>United Nations Educational, Scientific and Cultural Organization</b>
<b>UNTAA</b>	<b>United Nations Technical Assistance Agency</b>
<b>UNTAO</b>	<b>United Nations Technical Assistance Organization</b>
<b>UNTAP</b>	<b>United Nations Technical Assistance Programme</b>
<b>UN-OPEX</b>	<b>United Nations Operational Executive (Officers)</b>
<b>US AID</b>	<b>United States Agency for International Development</b>
<b>USTCM</b>	<b>United States Technical Cooperation Mission</b>
<b>USOM</b>	<b>United States Operations Mission</b>
<b>V.S.</b>	<b>Vikram Samvat</b>
<b>WEC</b>	<b>Work Expediting Committee</b>
<b>WHO</b>	<b>World Health Organization</b>



## Preface

When I joined the Colombo Plan Technical Assistance Programme under the Indian Aid Mission in Nepal and was attached to the Department of Political Science, Tribhuvan University, Kathmandu, during 1963-65 (on deputation from Patna University), I developed special interest in the study of the administrative system of this neglected and largely unknown, small but strategic, Himalayan kingdom, sandwiched between India and China. Much of the data for this book were collected in Nepal during this period.

In 1966, the Indian Institute of Public Administration, New Delhi, gave me the opportunity to work on their first ever research project on Nepal in Area Studies in the discipline of public administration as a Research Fellow (1966-69). I revisited Nepal in 1967 for the collection of further data, field study and interviews supported by grants from the Indian Institute of Public Administration, New Delhi.

This book is the outcome of these researches in Nepal and the author's dissertation, "The Administrative System of Nepal, 1901-60" approved by Patna University for the degree of D.Litt. in 1970.

Nepal,<sup>1</sup> which is the only Hindu kingdom in the world,<sup>2</sup> and is ensconced in the southern slopes of the central Himalayas, with

<sup>1</sup>According to a legend: "Ne Muni, an ascetic from India entered the Valley bringing with him a prince of the Gupta line to reign over it. Such great respect did Ne Muni command that the Valley was named after him: Ne-pal raised by Ne, cherished by Ne." *Nepal*, HMG Nepal, Department of Publicity and Broadcasting (n.d.) p. 1.

<sup>2</sup>For details see Perceval Landon, *Nepal*, London, 1928, Vol. I. In its Preface Landon observes: "She alone among Asiatic Powers has never suffered either the galling triumph of the Moslem or the political and commercial results of Christian expansion," p. 1. Also see this author's "Monarchical Hindu State in Nepal," *Patna University Journal*, Patna, January 1966, Vol. XXI, No. 1, pp. 94-104.

her ten million people,<sup>3</sup> and of the size of England or approximately of Florida, USA, has suddenly assumed considerable importance as a sensitive centre of a potentially explosive area in the cold war of Asia.<sup>4</sup> Curiously enough, it was not foreign powers but Nepal's native rulers—first the Grukha kings, from 1769 to 1846, and then the Rana prime ministers, from 1846 to 1951, who suppressed and exploited the people and kept them in a state of disease, ignorance, grinding poverty, isolation and seclusion, till they revolted in 1950-51 against the feudalistic, traditional society, medieval government, and the autocratic and archaic administration. British imperialism in India sustained Rana tyranny in Nepal for 104 years. During this period, in order to shield the Rana political system, a unique administrative system was developed. Though the originator of this system was Jang Bahadur Rana, it was really Chandra Shamsheer, in the early 20th century, who consolidated and perfected the system. The last Rana prime minister, Mohan Shamsheer, much like the Bourbons, refused to listen to the voice of history. Unequal to meet the challenge, the Rana system collapsed in 1951.

The 1950-51 revolution serves as the dividing line between Rana Nepal and modern Nepal. While the former was traditional in its administrative system, institutions, attitudes and practices, the latter assumed all the forms and idiom of a modern state—a Constitution with a set of goals and policies; political parties; interest groups;

<sup>3</sup>Lying roughly between 80 and 88 degrees east longitude and 26 and 30 degrees north latitude, the country has an area of nearly 55,000 square miles, varying in breadth from 80 to 120 miles. According to a preliminary country-wide census of 1961, Nepal has a population of 9,387,661 lakhs. U.M. Malla, "Land and the People," *Nepal Monograph on Nepalese Culture*, HMG Nepal, 1968, pp. 1, 8.

It may be referred here that physically the country has four distinct zones (i) the *Terai*, the 18-mile wide, swampy, malarial low land along the Indian border in the south; (ii) *Duns*, a sandstone range of varying height from 2,000 to 3,000 feet running along the whole length of the country; (iii) the hills varying in height from 4,000 to 10,000 feet; and (iv) the snow-covered Himalayan region in the north for the most part inaccessible and unexplored having a chain of the world's highest peaks like Mount Everest (29,145 feet); Kan-chun-junga (28,146 feet); Malaku (26,790 feet), etc. separating the country from Tibet. This topography had its adverse impact on the country's public administration.

<sup>4</sup>Giri Lal Jain, *India Meets China in Nepal*, Bombay, 1959, p. 1.



public opinion; a cabinet government; and a bureaucracy charged with the task of implementing the laws. Within a decade after the revolution, large-scale efforts were made to reorganize and modernize the administration. "Transnational inducement"<sup>5</sup> of administrative reforms and the emergence of two powerful, interrelated yet competitive administrative entities in Nepal (the Singha Darbar and the Narayanhiti Darbar), during this decade of change brought tensions in both the political and administrative systems. As if to resolve this crisis, King Mahendra staged a *coup* in December 1960 against the first elected, 18-month-old parliamentary government of Nepal, much to the shock and surprise of the democratic world. After the December 1960 royal *coup* Nepal returned to a period of uncertainty in both politics and administration. Not only did the *coup* mean a complete reversal of democracy in Nepal, but it also played havoc with the administration. All the delicate fabrics of a modern democratic bureaucratic administration so painstakingly woven during 1951-60 were torn asunder and shattered. This process of disintegration continues even today, so many years after the *coup*. The year 1960 thus constitutes another landmark besides 1901 and 1951 in the politico-administrative history of Nepal.

Analyzing retrospectively one notices that what King Mahendra was interested in after 1960 was to erect a political and administrative system of which he himself could remain the pivot. He did what most autocrats do.

Such a study of the administrative system of Nepal, in the context of political interaction of power relations and power groups and the traditional administrative indices, processes, behaviour, practices, institutions and legacies has never been taken up. One may find a few good studies on Indo-Nepalese relations or on travel, culture, archaeology, history, politics and polity of Nepal, but no single study, giving a full and authentic account of her administrative system in transition from tradition to modernity.

This book is a modest attempt to fill the gap. It covers a span of about 60 years, 1901-60, in order to have a clear and correct pers-

<sup>5</sup>For large-scale efforts at transnational inducement of administrative reforms in the newly independent states through UN Technical Assistance Programme, US AID, etc. see Ralph Braibanti (ed.), *Asian Bureaucratic Systems Emergent from the British Imperial Tradition*, Durham, 1966, pp. 3-4.

pective of the administrative system of Nepal from despotism to democracy (until the 1960 *coup*). The whole system after the 1960 *coup* has been moving erratically and its nature and character even today are very fluid. A brief review of some of the important developments since 1960 is attempted in the last chapter to bring the study up to date.

In the case of a study of the administrative system of Nepal, the only possible methodology which could be and has been used is to lean heavily on historical, archival, documentary evidence, both primary and secondary, followed up by an "impressionistic field study" and "interview method." Fortunately, at Birganj and Pokhara, I met some Nepalese civil servants who were my students at Tribhuvan University, Kathmandu. I also travelled extensively to some of the zonal and district offices at Gorkha, Bharatpur, Chitaur, Lalitpur, Bhaktapur and Kathmandu collecting useful information for this study.

For source materials, I have mainly depended on the Nepali language documents and archival records of British India and the Ministry of Law Records of Rana and post-Rana Nepal at the Singha Darbar, Kathmandu, the Muluki Ain, the Muluki Sawals and various original unpublished Khadga Nishana Sanads and Sawals, Ek Chhape and Dui Chhape Sanads, Badapatra, Istihar, etc. since 1959 V.S., (1902 A.D.), consulted at Singha Darbar, Basantpur Goswara Tahvil, Bhaktapur Mal, Commandari Kitab Khana and Dillibazar Kumari Chowk record offices. For post-1951 developments, mainly Nepali Gazettes since 2008 V.S. (1951 A.D.), royal proclamations, party manifestos and secret confidential reports on the country's public administration by Indian, American and UN experts and consultants, the indigenous reports and the news coverage of the Nepali and Indian press after 1951 have proved to be of much help. Wherever in the citations, besides Nepali dates, the corresponding Christian dates were also available, I have cited both. The Nepali Vikram Samvat (V.S.) is counted about 57 years before the start of the Christian era.

Apart from the Preface, this book is divided into 12 chapters. Taking 1950-51 Revolution as the dividing line, the first five chapters discuss the administrative system of the Ranas during 1901-1951. The next six chapters deal with the new democratic-bureaucratic administrative system with modernization goals during 1951-60.

The final chapter is by way of an epilogue to cover very briefly the later developments in Nepal since 1960 and an appraisal of the whole situation.

In completing this challenging but fascinating study I received help and encouragement from many persons. Among them I remain most grateful to Dr J.N. Khosla, former Director, Indian Institute of Public Administration, New Delhi, who was my constant mentor. I am indebted to Professor Norman D. Palmer, Chairman, Department of Political Science and South Asian Studies, University of Pennsylvania, USA for recommending this study for the award of a D.Litt. degree.

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I acknowledge my debts to Shri Govind Narain, ICS, formerly Adviser-cum-Secretary to His Majesty King Tribhuvan (1951-54), and Adviser, Nepal Public Service Commission, and now Secretary to the Government of India; Shri G. Parthasarthy, formerly India's Permanent Representative to the UN and ex-Vice-Chancellor, JNU, New Delhi, Dr Bimal Prasad, Dr L.S. Baral and Dr Satish Kumar of the SIS, New Delhi for valuable comments and suggestions.

Helpful assistance and permission was received from HMG Nepal to let me consult materials in various ministries at the Singha Darbar and collect field data from the magistrate offices at Kathmandu, Lalitpur and Bhaktapur and zilla goswaras at Birganj and Pokhra.

I feel thankful to the Indian Council of Historical Research, New Delhi which has financially supported this publication.

None of these persons may, of course, be held responsible for any of the views and conclusions which follow.

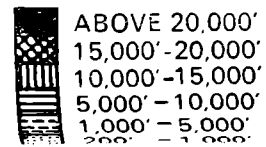
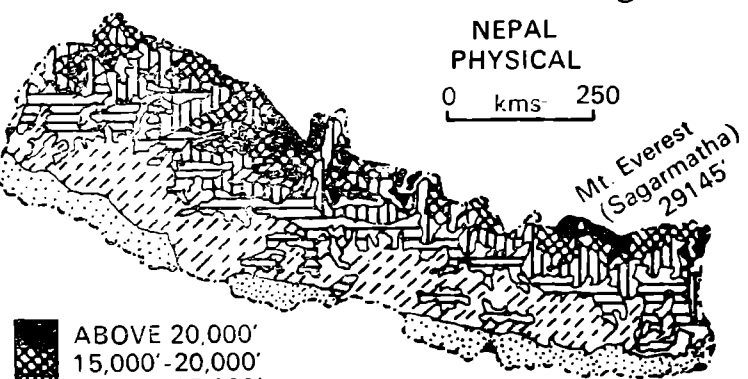
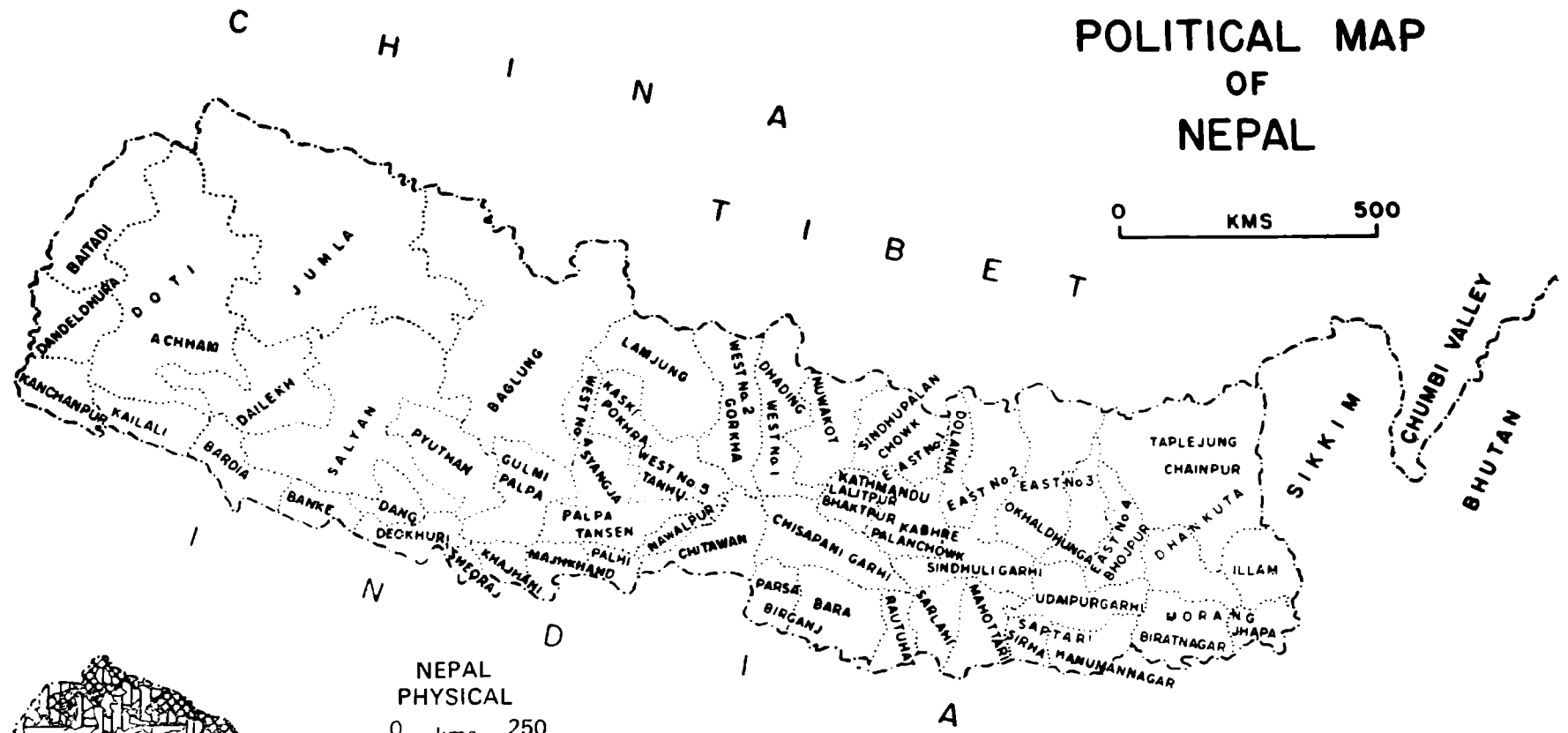
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# POLITICAL MAP OF NEPAL



## Chapter I

# The Historico-Administrative Background—1769-1901

Nepal, an ancient country, tucked away in the hills of the Himalayas, has undergone many experiments and changes in her administrative system. For an understanding and appreciation of this system during 1901-60, it is necessary that the relevant elements of the history and tradition of the system be traced out and analyzed. Some of these elements have shaped and influenced the conduct of its administration not only during the period under study but continue to influence even today.

### PRE-SHAH ADMINISTRATIVE SYSTEM TILL 1769

Little is known about the administrative system of Nepal before the Shah<sup>1</sup> conquest in 1769. This pre-Shah period is described by Sylvain Levi as the “Nevar period”<sup>2</sup> of the history of Nepal. The Kirantis, the Licchavis and the Mallas preceded the Shahs.

According to an old Kiranti religious text, *Kirant Ko Veda*,<sup>3</sup> the Kirantis who came from Tibet, ruled the Kathmandu valley until the 2nd century AD. One Nepalese source<sup>4</sup> identifies the Kiranti administrative system as a benevolent

<sup>1</sup>The Shah kings of Gurkha trace their ancestral line to high-born Rajputs of Rajasthan who fled to the Himalayan region because of Muslim conquest in the 14th century.

<sup>2</sup>Sylvain Levi, *Le Nepal, Etude Historique D'un Royaume Hindou*, (Annales du Musee Guimet, Bibliotheque D'etudes, Tomes.3 vols. Paris, 1905-08). Typewritten translation into 2 vols. from the original in French, Indian Council of World Affairs (ICWA) Library, New Delhi, Vol. I, p. 357. Also see Landon, *Nepal*, Vol. I, p. 22.

<sup>3</sup>Iman Singh Chemjong, *Kirant Ko Veda*, Bihar, 1961.

<sup>4</sup>Ganga Vikram Sijapati, *Nepali Prashasan Vyavastha Ko Roop Rekha Nepali*, Nepal Shri Darbar, 2019 V.S., Purnank 13, p. 27.

monarchy. Their kingdom was divided into thums.<sup>5</sup> Each thum had five elders, called panch, who administered the thums.

The first historical dynasty of Nepal was that of the Licchavis,<sup>6</sup> who, it appears, had evolved a three-tier administrative system, namely (a) the central administration, under a hereditary king having the title of "Bhattaraka Maharaja"<sup>7</sup>; (b) the provincial administration, under a centrally appointed governor, called "Samanta"<sup>8</sup>; and (c) the village administration, under locally elected "panchali"<sup>9</sup> (village council).

Some of the important personnel<sup>10</sup> of the central administration included: (i) *mahasarva dandanayaka* (prime minister); (ii) *Guru* (spiritual director); (iii) *dharmarajika-matya* (minister of the worships); (iv) *sarva dandanayaka* (commander-in-chief); (v) *mahabaladhyaksha* (inspector of armies); (vi) *mahasarvapratihara* (secretary-general); (vii) *mahapratihara* (great bailiff); (viii) *pro-sarvadhikrat* (superintendent of donations); (ix) *camaradhara* (bearer of the fly-flap); (x) *paniya-karmantika* (supplier of drinking water); (xi) *pithadhyaksha* (inspector of the royal seat); and (xii) *pushpa-pataka-vaha* (bearer of pushpa-pataka). The diplomatic office was generally under the king or his son or one of his favourites.<sup>11</sup>

Until the arrival of the powerful Gurkhas from Gurkha state, the Malla kings<sup>12</sup> ruled the valley which was cut up into four kingdoms — Bhatgaon, Kathmandu, Patan and Banepa. During the Malla period, the choice of who would be king rested with the tribes (*pradhanas*) who represented the nobility.

<sup>5</sup>*Ibid.* Thums continued during the Shah and the Rana periods as the administrative subdivisions of the districts in Nepal.

<sup>6</sup>For Licchavis, see Sylvain Levi, *op. cit.*, pp. 357-58. Also see *Nepal Ko Samchhipta Itihas*, HMG Nepal, Ministry of Information and Broadcasting, 2023 V.S., p. 5; and Babu Ram Acharya, *Nepal Ko Samchhipta Vritant*, Vol. I, Kathmandu, Jor Ganesh Press, Chaitra, 2022 V.S., pp. 1-2.

<sup>7</sup>Sylvain Levi, *op. cit.*, p. 353. Later, the Rana prime ministers, during 1846-1951, usurped this title of "Maharaja" and made it hereditary.

<sup>8</sup>*Ibid.*

<sup>9</sup>Dhan Vajra Vajracharya, "Licchavi Kal Ma Chale Ko Panchali Shasan Paddhati Ko Parichaya," *Purnima*, Kathmandu, 2023 V.S., p. 1.

<sup>10</sup>Sylvain Levi, *op. cit.*, p. 359.

<sup>11</sup>D.R. Regmi, *Ancient Nepal*, Calcutta, 1960, p. 183.

<sup>12</sup>The first Malla king was Arideva (1207-1216 A.D.), a great wrestler (or Malla). For details see *Nepal Ko Samchhipta Itihas*, *op. cit.*, p. 11.



Monarchy was limited and administration decentralized. Public opinion played a vital part in Malla administration.

But Nepal during this period was politically disunited and weak, surrounded in the east and the west by a large number of warring principalities. When Prithvinarayan Shah, "The father of modern Nepal,"<sup>13</sup> commenced his campaign of conquest and unification, he had to weigh his sword "with more than a hundred Rajas."<sup>14</sup> In the Gurkha imperial expansion, conquest and unification, the presentday Nepal emerged as "a unified political entity."<sup>15</sup> The political divisions, antedating the unification of Nepal, through history and tradition, continued with administrative change into *zillas* (districts) and *thums* (sub-divisions) — regional administrative units, into which the Shah kings divided Nepal for better administration through the traditional boundaries. The Kirantis and Limbus, the ancient communities in the eastern hills, however retained their traditional boundaries in the new districts and subdivisions.

Until 1961, about 24 vassal states (or samanata rajyas and rajautas),<sup>16</sup> with limited administrative autonomy outside the regular district administrative system, continued. These were a hangover from the pre-Shah history of these independent principalities which had merged their territories with the Shah kingdom on some mutual understanding.<sup>17</sup>

The administrative reorganization of Nepal in 1965 by King Mahendra into 14 zones and 75 districts<sup>18</sup> reveals that the present boundaries usually coincide with the old thums. Thus, in this major administrative change in modern Nepal, we may clearly discern the continuity of the traditional moorings as well as the retention of the old political divisions.

<sup>13</sup>Narhari Nath Yogi and Babu Ram Acharya (ed.), *Rashtrapita Sri 5 Bada Maharaja Prithvinarayan Shah Dev Ko Diwopadesh*, Kathmandu, 1953.

<sup>14</sup>Bhuvan Lal Joshi and Leo E. Rose, *Democratic Innovations in Nepal*, California, 1966, p. 4.

<sup>15</sup>*Ibid.*, p. 3.

<sup>16</sup>These native states of feudal aristocracy were targets of attack by B.P. Koirala during 1959-60. After the royal coup of 1960, these states finally integrated in 1961 and became part of the regular Nepalese administrative system.

<sup>17</sup>Joshi and Rose, *op. cit.*, p. 6.

<sup>18</sup>Local Government Order, HMG Nepal, 16 December 1965.

## UNIFICATION OF NEPAL

The unification of Nepal was done in two phases: (i) by 1742, the Gurkhas had conquered the neighbouring states and had emerged as a large and powerful state ready to swallow the valley; (ii) by 1769, the conquest of the three states in Kathmandu valley was complete and unification effected. The capital of the Shah kings was then shifted to Kathmandu.<sup>19</sup>

It was the successors of Prithvinarayan Shah who continued the campaign of conquest and annexation from 1769 to 1814, till the Anglo-Gurkha War and its culmination in the Treaty of Sugauli in 1815. This treaty determined the frontiers of Nepal. Later, in 1860, another treaty was signed which ceded tarai lands to Nepal. The frontiers of Nepal have remained almost unchanged since 1860. As it is, it extends between river Kali in the west and river Mechi in the east.

*The Shah Administrative System, 1769-1846.* The Shah (or Gurkha) conquest of 1769 upset the traditional regime of Nepal. A strong and resolutely centralized government emerged under the Shah kings during 1769-1846.

*King and Administration.* Prithvinarayan Shah was an absolute monarch responsible to none but himself and ruled by divine right. He made monarchy the ultimate political authority in the country and the source of all power. The king had the final voice (hukum) in the selection of the mukhtiyar who was the executive head of the Shah government and of all the officers and matters pertaining to the government.

The Shah administrative system was medieval in structure, based on the personal rule of the king. The king appointed and dismissed all officers, declared war and concluded treaties, collected revenues, audited accounts, distributed favours and honours through grant of lands and money, issued codes, framed sawals and administered justice. Shah rule was based on the tradition of absolute monarchy with its Hindu ethos.<sup>20</sup> Since the days of Prithvinarayan Shah, the Shah kings have

<sup>19</sup>Kathmandu takes its name from *Kastha-Mandapa* or [wooden house constructed by Malla king Lakshmi Nar Singh of Kantipur (Kathmandu). See Francis Taker, *Gorkha: The Story of the Gurkhas of Nepal*, London, 1957, p. 23.

<sup>20</sup>See my article, "Monarchical Hindu State in Nepal," *Patna University Journal*, January 1966, Vol. XXI, No. 1, pp. 94-104.

been referred to as “adherents of Aryan culture and Hindu religion.”

In fact, “the political fortunes”<sup>21</sup> of the Shah monarchy have fluctuated widely from political impotency to absolute authority.

*Matrix of Shah Politics.* While in theory the Shahs were unlimited and absolute rulers, in practice the matrix of Shah politics let loose the dissensions in the royal family, more obvious since 1777, between the king, the senior queen, the junior queen, the king’s brothers and cousins, and the crown prince and his brothers. From 1777 to 1846, government and politics in Nepal was much involved in this game. As a result, the monarchy was weakened, petticoat influence increased, courtiers vied with one another and, finally, it paved the way for the rise of the Rana family under the stewardship of Jang Bahadur, “the innovator of the system.”<sup>22</sup>

*Lal Mohar (Red Seal).* In the Shah administration *Lal Mohar*<sup>23</sup> (the Red Seal) of the kings played an important part. Through the Lal Mohar were conferred titles, honours, offices, jagirs, ains and sawals. At the apex of the administrative consolidation of the Rana system the *khadga nishana* seal introduced by Rana prime minister Chandra Shamsher in 1917 almost took the position of the Lal Mohar in the Nepalese administration during 1917-51.

*Thargar as an Administrative Entity.* Thargar constituted an important administrative entity in the administration of Prithvinarayan Shah and his son Pratap Singh Shah. To quote Sylvain Levi, “it is between them that the government must share the principal employments, but all have not equal rights; they form a hierarchy with three different stages, the highest group in dignity comprises six families who receive by reason of their number the name of ‘Chattras’. The Chattras have a kind of right of preference for the first employments of the kingdom.”<sup>24</sup>

<sup>21</sup>Rose and Fischer, *The Politics of Nepal*, Cornell, 1970, p. 34.

<sup>22</sup>Joshi and Rose, *op. cit.*, p. 35. Also see M.S. Jain, *The Emergence of New Aristocracy in Nepal*, Agra, 1972.

<sup>23</sup>For the details of Lal Mohar see Bada Kaji Manik Lal, Ranaharu-Ko-Nizamati-Shashan Pranali (unpublished manuscript p. 23). It was made available by Chittaranjan Nepali at Kathmandu.

<sup>24</sup>Sylvain Levi, *op. cit.*, Vol. I, p. 366.

The thargars, which literally mean families (*gars* or *ghars*) of different castes (*thar*), had historically assisted Dravya Shah in the conquest of Gurkha state and were therefore allotted all the principal posts in its administration. This practice continued with Prithvinarayan Shah both in Gurkha state and later, in Nepal. Administratively, the Thargars continued with the early Shahs to monopolize all the high posts in the administration. They also served as a check on the despotism of the Shah kings and constituted an aristocracy. It seems from the *Kitab Khana* records that the institution of Thargars existed up to 1850 (i.e. 1907 V.S.).

*Central Administration.* It appears that in the central administration of the Shah kings six high officers, who were called "bharadar" or the "bearers of burden," constituted the pillars of the administrative system. They were:

(i) *Choutra* or *Chautra Rom Chautariya*: According to Kirkpatrick the *choutara*<sup>25</sup> was the prime minister of the raja and invariably his kin. The *chautariya* submitted his reports and statements relating to the country's administration directly to the king or the regent. The authority vested in him was called *akhtiyari-mukhtiyari* which he executed by means of a deed granted to him by the king.

(ii) *Kajees* or *Kazis*: They were like "the superior Dewan of the Mogul government."<sup>26</sup>

(iii) *Sirdars*: They were like the "Bukshies of the Mogul Empire."<sup>27</sup>

(iv) *Khurdars* or *Khardars*: They acted as "the Secretaries of the State,"<sup>28</sup> entrusted with the correspondence and the chancellory.

(v) *Khupperdar* or *Kapardar*: He was the minister of the king's house,<sup>29</sup> in charge of the king's wardrobes, jewels, kitchen, etc. He also audited government accounts.

(vi) *Khuzanchee*<sup>30</sup> or *Khazanchi*: He was the treasurer, to make all disbursements.

<sup>25</sup> Kirkpatrick, *An Account of the Kingdom of Nepal*, London, 1811, p. 198.

<sup>26</sup> *Ibid.*, p. 199.

<sup>27</sup> *Ibid.*, p. 200.

<sup>28</sup> Sylvain Levi, *op. cit.*, pp. 368-69.

<sup>29</sup> *Ibid.*, p. 369.

<sup>30</sup> *Ibid.*, p. 368.

Other officers were the *ticksali*<sup>31</sup> (superintendent of the mint), *dhurma-udhikar*<sup>32</sup> or *dharmadhikar*<sup>33</sup> (chief criminal judge), *bicheries*<sup>34</sup> (judicial officers), *dittha*<sup>35</sup> (overseer), *jetha-boora* (elder statesman), *arzbegi*<sup>36</sup> (superintendent of jail), *tahvildar*<sup>37</sup> (incharge of stamps, stationery, furniture, cash and other valuables), and *bahidar*<sup>38</sup> (incharge of all the petitions and complaints filed in the court). Many of these traditional posts continued during the Rana period and even during the democratic period in Nepal.

*District Administration.* It appears that the rajas of the old principalities were replaced, by the Shah kings, with new officers called *subbas* or *Soubahs*,<sup>39</sup> who later became *bada hakims* during the Ranas. The old conquered states were converted during the period into new districts with almost the same historical-traditional boundaries.

There were other subordinate officials also who worked in the districts or villages and whose names appear in various orders of the Shah kings during this period. They were:

(i) *Dwarya Roman Dvare*<sup>40</sup>: He was the gatekeeper, that is, frontier guard and worked under *umraos*. Usually during Prithvinarayan Shah's regime he was incharge of thums. He was posted in hill areas. Later, he also collected land revenues from thums and villages and maintained general law and order.

(ii) *Choudhury*: He was like *Dvare* in his rank, powers and functions. But he was posted in tarai areas.

<sup>31</sup>Kirkpatrick, *op. cit.*, p. 201.

<sup>32</sup>*Ibid.*

<sup>33</sup>B.H. Hodgson, *Miscellaneous Essays relating to Indian Subjects*, London, 1880, Vol. II, p. 213.

<sup>34</sup>*Ibid.*

<sup>35</sup>*Ibid.*, p. 213; Kirkpatrick, *op. cit.*

<sup>36</sup>For fuller details see Hodgson, *op. cit.*, Vol. II, p. 216 and pp. 211-26.

<sup>37</sup>D.R. Regmi, *Modern Nepal*, Calcutta, 1961, p. 294.

<sup>38</sup>*Ibid.*

<sup>39</sup>Sylvain Levi, *op. cit.*, p. 373; Kirkpatrick, *op. cit.*, p. 202.

<sup>40</sup>See Prithvinarayan Shah's *Dirya Upadesh* where he writes at one place: "I have promoted the Umravas of the three Thums." They were promoted to protect Gurkha frontier and to administer the areas effectively. *Dvares* were asked to help *Umravas* in these areas. Quoted by Leelanateshwar Sharma Baral, *Life and Writings of Prithvinarayan Shah*, ICWA Library, New Delhi (unpublished thesis), p. 30.

(iii) *Naikay*<sup>41</sup> or *Naike*: He was the headman of the village who helped in judicial, revenue and civil administration.

(iv) *Mukhia* or *Jimawal*<sup>42</sup>: These two were local revenue officers.

Other posts as mentioned in many orders of the Shah kings and which played an important role in Shah administration were :

(i) *Naib*<sup>43</sup>: The regent to the king was called naib. He enjoyed all the powers and prerogatives of the king.

(ii) *Saheb*<sup>44</sup>: He was the crown prince, the eldest son of the king and the heir-apparent. Saheb probably meant *shahzada*, the king's son. He had a say in the administration and sometimes played an important role in it.

(iii) *Hajuria*<sup>45</sup>: He was personal secretary to the king or the regent before Bhim Sen Thapa. The post carried more power and influence than the *mulkazi*<sup>46</sup> who in theory, according to D.R. Regmi, was next only to the chautara during 1768-1804.<sup>47</sup> However, much depended upon the personalities which held the two posts.

The three important features of the Shah administrative system which had their impact on the later administrative institutions and practices were:

(i) The administrative personnel received their salaries not in cash but in kind in the form of jagirs. According to Kirkpatrick,<sup>48</sup> they were also entitled for commission on *kaith* or *khet* (i.e., cultivated land).

(ii) From chautariya to the humblest official, the appointment was tenable for a year only. This annual tenure and renewal was known as *pajani* or *paijani* or *panjani*.<sup>49</sup> This unique

<sup>41</sup> D.R. Regmi, *Modern Nepal*, *op. cit.*, p. 299.

<sup>42</sup> *Ibid.*, p. 301.

<sup>43</sup> *Ibid.*, p. 279.

<sup>44</sup> *Ibid.*

<sup>45</sup> *Ibid.*, p. 281. A reference may be made here to the post of *Hajuria-general* created by Rana prime minister Chandra Shamsheer. His *Hajuria-general* was his son, Mohan Shamsheer, later the Rana prime minister during 1948-51.

<sup>46</sup> *Ibid.*, p. 281.

<sup>47</sup> *Ibid.*

<sup>48</sup> Kirkpatrick, *op. cit.*, p. 199. Chautariya down to the humblest officials received their salaries in kind throughout the kingdom.

<sup>49</sup> Sylvain Levi, *op. cit.*, p. 367. For detailed treatment see also Chapter IV.

institution, developed by the Shahs during 1769-1846, was later adopted by the Ranas (1846-1951) and continued to plague the administration even during the years of democratic experiments in Nepal (1951-60).

(iii) The early Shahs continued the administrative apparatus brought over from Gurkha State, only with minor modifications.

*Conspiratorial and Factional Politics, the Petticoat Government, Coalitions and Kot Massacre.* The wheel of Nepalese history from 1777 to 1846 was turned by a complex amalgam of forces—the minor kings, the regents, the senior and junior queens, the chautariyas and mukhtiyars—all involved in conspiratorial and factional politics leading to the worst tragedies, bloodbaths, dissensions, lawlessness and anarchy.

The historic demand was for a strong man, a force, a personality. And history singled out Jang Bahadur to play that role after the treacherous murder of Mathabar Singh in 1845. After the latter's murder, the Nepalese administration had become ineffective, corrupt and weak.

Between 1800 and 1846, Nepal had eight prime ministers all of whom met violent death at the altar of conspiratorial and factional politics of the Shah kings and the petticoat influence of their senior and junior queens till the final bloodbath at Kot on 14 September 1846.<sup>50</sup>

#### FIRST 55 YEARS OF THE RANACRACY, 1846-1901

During the first 55 years of the Rana regime, there were five Rana prime ministers—Jang Bahadur, Bam Bahadur, Ranoddip Singh, Bir Shamsheer, and Dev Shamsheer. Of these five, only two, Jang and Bir, can be regarded as the founders of the regime and the builders of the system which was consolidated, perfected and finally given shape by Chandra Shamsheer during 1901-29.

*Administration under Jang Bahadur, 1846-47.* Jang Bahadur's rule marks a turning point in the history of Nepal. His rule was "a period of remedy, and a period of seed time, like that

<sup>50</sup>For the details of Kot massacre see J.T. Wheeler, *A Short History of India and the Frontier States*, 1894, London, pp 70-73, London, *op. cit.*, Vol. I, pp. 119-34 and B.C. Sharma, *op. cit.*

of Henry VII's." The remedy lay in ending lawlessness and anarchy in the country; the sowing was of a system which could stand the test of time for more than a century.

He strengthened his position in the government and administration with the help of the British. To enhance his prestige abroad he visited England in 1850-51, more as a king than as his country's ambassador.<sup>51</sup>

On 1 August 1856, on grounds of health, Jang Bahadur resigned and recommended the king to make his brother Bam Bahadur prime minister. Bam continued as a dummy prime minister till his death, when Jang again resumed the post on 25 May 1857. The intentions of Jang were clear. Only five days after his resignation on 6 August 1856, King Surendra, through a Lal Mohar,<sup>52</sup> conferred upon him, while in retirement, the maharajaship of Kaski and Lamjung and such powers over the whole kingdom as only an absolute monarch would wield, with authority to overrule or coerce even the king.

Jang was invested with powers and privileges of a sovereign character. They were: "(1) the right of life and death; (2) the power of appointing and dismissing all servants of Government; (3) the power of declaring war, concluding peace, and signing treaties with any foreign power, including the British, the Tibetans, and the Chinese; (4) the power of inflicting punishments on offenders; (5) the power of making new laws and repealing old laws, civil, criminal and military."<sup>53</sup> The maharajaship and the absolute powers were made hereditary in his family. And thus, Jang Bahadur made the Rana prime minister, a Maharaja with absolute powers, "as much the sovereign as was Peter the Great of Russia."<sup>54</sup>

Jang, during his lifetime, made an arrangement "somewhat similar to that of descent through the eldest agnate which prevails in Mohammedan countries"<sup>55</sup> that the prime minister-ship "should for ever pass from brother to brother, rather than

<sup>51</sup>For some of the interesting details of Jang Bahadur's visit to England see Landon, *op. cit.*, Vol. I, pp. 135-55.

<sup>52</sup>Tuker, *op. cit.*, p. 149. Also see P.J.B. Rana, *Life of Maharaja Sir Jung Bahadur of Nepal*, 1909, Allahabad, p. 194. For the English translation of *Lal Mohar*, see Satish Kumar, *Rana Polity in Nepal*, 1967, Bombay, p. 159.

<sup>53</sup>P. J. B. Rana, *op. cit.*, p. 194.

<sup>54</sup>Tuker, *op. cit.*, pp. 149-50.

<sup>55</sup>Landon, *op. cit.*, Vol. II, p. 54.



in the direct line to the eldest son, according to date of birth alone, descending then to the eldest of the next generation and so passing along and down.”<sup>56</sup> This led to what was called “Roll Succession.”<sup>57</sup> Perhaps the purpose was (i) to keep the premiership for ever in the Rana family; and (ii) to ensure that the premiership never went to a minor or immature member of the family.

Jang was now “Maharaja Prime Minister” from 25 May 1857 till his death on 25 February 1877, that is, for 20 long years. The Lal Mohar dated 28 June 1857 made Jang Bahadur the head of administration and the source of all authority—executive, legislative and judicial, with full military powers and “powers of life and death,” diplomatic and fiscal powers and with the entire governmental machinery responsible to one man, the Rana prime minister.

In administrative terms, the roll succession enabled the Rana oligarchy to capture all key civil and military posts in the Rana administration which were open only to them. These officers, holding military ranks, performed civil functions as well. Actually Jang Bahadur gave Nepal a pure military despotism, based on an essentially military structure of government.<sup>58</sup>

Jang Bahadur first opened *muluki adda* under a *muluki subba*,<sup>59</sup> for the general administration of the country. *Jangi adda* was opened after his return from England<sup>60</sup> to modernize the army, drill and discipline it, and enforce the first military code prepared by him. It could be said that while the *muluki adda* laid the civil administrative rules, the *jangi adda* laid the militaristic foundation of the Rana administrative system. Later, under Chandra Shamsheer, they became important departments of central administration, better organized into

<sup>56</sup>Tuker, *op. cit.*, p. 150.

<sup>57</sup>These rolls of succession, however, were framed many times by the ruling Rana prime ministers to suit their interest and to debar others.

<sup>58</sup>Captain Orfeur Cavenagh, *Rough Notes on the State of Nepal, Its Government, Army and Resources*, Calcutta, 1851, p. 7.

<sup>59</sup>Satish Kumar, *op. cit.*, p. 101. Also Gururaj Hemraj's *Vamsavali*, Rashtriya Pustakalaya, Kathmandu. It contains the names of some of the administrative departments opened by Jang Bahadur.

<sup>60</sup>Based on interview with Babu Ram Acharya. Also Satish Kumar, *op. cit.*, p. 120.

various sections and better staffed. *Ain khana* and *kausal*,<sup>61</sup> was also first opened by Jang after his return from England. This department laid the legalistic foundation of the Rana administrative system. *Ain khana* prepared *ains* (laws). The *kausal*, first created in 1851, consisted of 230 members who were to codify existing laws and to make new laws, did the same job as the *ain khana* and gave the famous "Jang Bahadur's Ain",<sup>62</sup> which laid the legal framework of the Rana administration.

Concerned with all revenues was *moth tahvil*,<sup>63</sup> first introduced in 1848. Jang also opened a forest office and *saraf khana* (for exchange of Nepali and East India Company rupees).

The existing department of *kumari chowk* (an accounts and audit office), started by Prithvinarayan Shah, was retained by Jang. Jang attempted to organise the *hulak adda* (initiated first by Bhim Sen Thapa). He met with little success owing to the difficulties of the topography of Nepal. The public works department also received his attention. This department was concerned with roads, bridges and public buildings, under the direct charge of the prime minister. However, Jang was more interested in the military and so he organized the first *top khana* for keeping guns. The first *kitab khana*, to maintain a register of all civil and military employees, was also set up in 1848. He also set up *muluki khana* as the government treasury. The existing *kausi tosakhana* as the disbursement office was retained. *Munshi khana* or the foreign office started first by Bhim Sen Thapa, was also retained. All these offices were either located at the house of the prime minister at Thapa Thalli or at his brothers' who were associated with the administration. The final shape to these offices was, however, given by Chandra Shamsher during 1901-29. We shall discuss these offices in necessary detail in the next chapter.

With the emergence of a powerful Rana prime minister, the *Bharadari* continued but as a mere shadow of its former self. Jang used it once only in 1847 to declare the abdication of King Rajendra Bikram Shah. In the Rana administration it had no hold.

<sup>61</sup> *Ibid.*

<sup>62</sup> *Jang Bahadur's Ain*, Library of the Ministry of Law, Singha Darbar, Kathmandu.

<sup>63</sup> Hemraj, *op. cit.*

It was Jang Bahadur, who, during his long 30-year rule, laid the foundation of the Rana administrative system, both civil and military.

*Administration under Ranoddip Singh, Bir Shamsher and Dev Shamsher, 1877-1901.* Jang Bahadur nominated his successor Ranoddip Singh who became prime minister in 1877.<sup>64</sup> Ranoddip's administration further strengthened the Rana system. The foreign office was put under Balwant Kaji.<sup>65</sup> He introduced in the muluki adda:<sup>66</sup> two sections, namely, the *pahad bandobast* (for the administration of the hill areas) and the *madhes bandobast* (for the administration of the tarai area). In the tarai districts *goswaras* were set up to accommodate district headquarters.<sup>67</sup>

Ranoddip started the militia system<sup>68</sup> in Nepal and permitted the recruitment of Gurkhas<sup>69</sup> in the British army and invited English engineers from India for the installation of electricity, water power, telephones, ropeways, etc. He "introduced the royatwari system,"<sup>70</sup> and established "an efficient system for the collection of the national revenue and for the audit of the public accounts. . . ."<sup>71</sup> It appears that for Ranoddip's contribution to his country's progress, the credit should be given to his brother, General Dhir Shamsher, the commander-in-chief, who was almost "the pillar of the State."<sup>72</sup> On 22 November 1885, Ranoddip Singh met a violent death in the Narayanhiti Darbar, through the bullets of his nephews—Khadga, Dhambar, Rana and Bir Shamsher.

Bir Shamsher became the next Rana prime minister on 23 November 1885.<sup>73</sup> His administration was marked by improvements at all levels—central, district and local; and revenue, law and justice.

<sup>64</sup>In accordance with the roll of succession. But after Ranoddip this roll was disturbed and violated by Dhir's sons.

<sup>65</sup>Interview with Babu Ram Acharya.

<sup>66</sup>*Ibid.*

<sup>67</sup>*Ibid.*

<sup>68</sup>Landon, *op. cit.*, p. 61.

<sup>69</sup>*Ibid.*, p. 64.

<sup>70</sup>Tuker, *op. cit.*, p. 168.

<sup>71</sup>*Ibid.*

<sup>72</sup>*Ibid.*, p. 165.

<sup>73</sup>Since Bir's time the roll of succession was violated. Now onwards it was not succession, rather accession.

The first hazari goswara<sup>74</sup> in the central administration was set up by him to mark the attendance of all government servants and prepare reports about their work. The first *sahar saphai* office was opened to look after the sanitation of Kathmandu city. It was a miniature municipality.

Important reforms<sup>75</sup> in the district administration included: (i) division of Nepal into tehsils and zillas (e.g. in 1895, tarai was divided into 12 zillas and pahad into 23 tehsils); (ii) tehsils were subdivided into zillas or thums or daras or garkhas which were again broken into mauzas and gaons. The tehsil was under a hakim or governor in the pahad; (iii) the zillas in the tarai were grouped into four circles<sup>76</sup> (during the later period of his district reorganization scheme), each under a bada hakim.

In the revenue administration the bada hakim was made responsible for all revenue collection helped by the zamindar and the patwari. The system of chaudhari was retained by Bir Shamsheer.

After Jang, it was he who further brought reforms in law and revised the legal code. Bir was the first Rana prime minister to reorganize the judiciary in Nepal in 1867 and in 1901. This reorganization of the judicial administration resulted in (i) the creation of more adalats in the pahad districts; (ii) the creation of *apil addas* for groups of districts in the valley and areas outside the valley; and (iii) the creation of a final appeals court at Kathmandu, with a "general-in-bharadari." Above bharadari was the maharaja prime minister.

Bir's internal administration was marked by improvements in education, sanitation, hospitals, roads and bridges, water supply and setting up of a clock tower at Tundi Khel.

In 1901, Bir Shamsheer died a natural death. He was succeeded by Dev Shamsheer. Dev was an insignificant Rana prime minister who ruled for hardly four months, "harmful to Rana interests and bad to the nation."<sup>77</sup> A man of kindly and use-

<sup>74</sup>It was central attendance office. For details see Chapter II.

<sup>75</sup>See list of zillas, tehsils, etc. in Nepal, submitted by Col. H. Wylie, British Resident in Kathmandu, dated 8 August 1895, Foreign External B (March 1896), 89A, NAI.

<sup>76</sup>Lt. Col. Eden Vansittart, *Gurkhas*, Calcutta, 1915.

<sup>77</sup>This was the saying of Chandra Shamsheer about Dev and his administration.

ful tendencies,<sup>78</sup> Dev (i) started 30 primary schools in the country; (ii) hastily attempted to emancipate female slaves; (iii) abolished purdah among the Nepalese women; (iv) summoned the first parliament in his house in which *dunia* (commoners) were also invited to democratize the administration; (v) set up grievance boxes all over Kathmandu to hear people's grievances against the administration; (vi) fixed working hours for government employees, their leave etc.; (vii) set up "golbhawan baithak" (a conference hall); and (viii) started a weekly *Gorakhpatra*.

His brother, Chandra Shamsher, and other Ranas considered Dev's measures as dangerous and immature experiments and so decided to replace him immediately. His end came on 26 June 1901, when in the Narayanhiti Darbar his brothers ringed him<sup>79</sup> and made him sign his abdication. Of Dev, all that remained was the custom of midday gunfire as his only contribution to Nepal, which remains even today for the people to set their watches by in the valley.

A traditional society with a medieval government and autocratic administration and a military feudal hierarchy could never tolerate the democratic and liberal outlook of a Rana prime minister. If Dev could have succeeded in setting up a parliament under the prime minister, with the participation of the people in it and in his scheme of grievance boxes to receive complaints and suggestions for the improvement of the administration, the Rana system could probably have been liberalized and would not have received the terrific jolt it did in 1950-51.

But Chandra was out to perfect the Rana system and to consolidate it, standing in line with Prithvinarayan Shah, Bhim Sen Thapa and Jang Bahadur, probably second to none, but, above all, in his breadth of vision, industry and strength of mind, and in Tucker's words, "the best fitted of all the Prime Ministers of Nepal to exercise the powers of that office."<sup>80</sup>

<sup>78</sup>This author interviewed Shubha Shamsher, magistrate, Lalitpur, the grandson of Dev Shamsher and received some valuable materials regarding the democratic, kindly and liberal tendencies of Dev.

<sup>79</sup>Tucker, *op. cit.*, p. 170. Tucker writes "there they ringed him as you ring an elephant and presented him with an ultimatum."

<sup>80</sup>*Ibid.*, p. 174.

## Chapter II

# Central Administration under the Ranas—1901-51

ADMINISTRATIVE CONSOLIDATION UNDER CHANDRA SHAMSHER,  
1901-29

Since the death in 1887 of the first Rana prime minister Jang Bahadur, the creator of the Rana system, by far the most important and enlightened Rana prime minister was Chandra Shamsher, who was the first of his family to matriculate, the first to receive an Honorary degree of Doctor of Civil Laws from Oxford University and the first under whose rule Nepal got complete political independence through a Treaty of Friendship concluded with the British in 1923.<sup>1</sup> He consolidated the Rana system by effecting far-reaching changes in central<sup>2</sup> and district<sup>3</sup> administration and through social, legal, educational and economic reforms which could not have even been dreamt of by his uncle, Jang Bahadur. Chandra Shamsher's tenure of office therefore requires rather detailed treatment.

The *coup d'état* which he staged in 1901 was confirmed peacefully at a reception of the military and civil officers of the Nepal Government and confirmed by the King through a royal proclamation which said:

He is given full authority in respect of passing sentence of

<sup>1</sup>Girilal Jain, *India Meets China in Nepal*. For the treaty of 1923, see Appendix D, pp. 162-63.

<sup>2</sup>New departments were opened and existing departments were reorganized which will be discussed in the following pages.

<sup>3</sup>Several changes in the location of *kacheries* in the tarai and in the administrative units of the districts both in the tarai and the pahad were effected which were furnished to Col. Ravenshaw in 1903 and to Major J. Manners Smith, officiating British Resident in Nepal. See *Foreign Department External B* (February, 1907), Progs. No. 312-23, File No. 87, para 1, p. 14, NAI.

death, deprivation of caste, imprisonment for life, confiscation of property, banishment or deportation, conferring or deprivation of honours, control of the Treasury, together with plenary powers in all affairs of the State.<sup>4</sup>

Furnished thus with absolute and unlimited power Maharaja Chandra Shamsher assumed supreme control over the government and administration of Nepal. "Henceforth," observes Landon, "the history of Nepal is the history of his administration, his reforms, and his policy in all things, foreign and domestic alike."<sup>5</sup>

It will not be out of place here to analyze some of the important factors which helped Chandra to successfully consolidate and stabilize the Rana system of administration.

The important factors were: (i) By incident and accident alike, Chandra was placed in the advantageous position of holding key posts in the administration since 1885 (that is, since Ranoddip's prime ministership).<sup>6</sup> By 1901, he had thus acquired sufficient administrative experience to effect administrative reorganization and consolidation during his regime.

(ii) An ineffective, imbecile king (King Surendra) as Jang Bahadur's master and a boy king of six years (King Tribhuvan) whom Chandra had to serve, helped the two prime ministers to strengthen their positions, usurp all powers and shape Nepal's destiny and run its administration. The kings were reduced to "a figure head whose writ did not run beyond the palace compound."<sup>7</sup>

(iii) Demonstrative loyalty to the British power in India and wholehearted support to them by the two prime ministers (Jang Bahadur's prompt help to the British during the 1857

<sup>4</sup>Quoted in Landon, *Nepal*, 1928, London, Vol. II, p. 84.

<sup>5</sup>*Ibid.*, p. 85.

<sup>6</sup>In 1884 when his father Dhir Shamsher died, Chandra came to hold the important post of senior commanding general. He won the army to his side through its reorganization and introduction of drill and discipline which later helped him in giving a stable government to Nepal. In 1888 his uncle, Bir Shamsher, appointed him to look after his personal interests and household affairs and also associated him with a large portion of the administration. Landon comments: "The hand was the hand of Bir, but the voice was the voice of Chandra." Landon, *op cit.*, p. 86.

<sup>7</sup>Bhola Chatterjee, *A Study of Recent Nepalese Politics*, Calcutta, 1967, p. 4.

mutiny and Chandra's help during the First World War) won for them absolute British support to the Rana regime and complete non-interference in the internal affairs of Nepal. As we shall examine later, British support was an important factor in sustaining the Rana regime.

(iv) Both Jang and Chandra borrowed much and profited much from their visits to England (Jang in 1851<sup>8</sup> and Chandra in 1908)<sup>9</sup> to shape, reform and strengthen the Rana system.

(v) Chandra had the additional advantage of his English education at Calcutta and a long tenure of 29 years in office as prime minister.

Though essentially oriental in outlook, Chandra brought many administrative changes during 1901-29. In order to consolidate, centralize and personalize the Rana administration he effected the following reforms and reorganisation:

(i) The creation of *khadga nishana adda* (prime minister's office). During Bir and Deva, the prime ministers approved memos under their signatures. Chandra introduced in 1917 *khadga nishana* seal, which was now affixed by a trusted officer of the *khadga nishana adda* on all orders of prime ministers.<sup>10</sup> This helped Chandra in centralizing the administration in the prime minister's hands.

(ii) Chandra stopped the practice of putting the prime minister's title on *dui chhape sanads*<sup>11</sup> being sent to local offices.<sup>12</sup> Now a large seal made of silver, called *thulo chhap* bearing the prime minister's name, decorations and titles in Nepali, English, Persian and Tibetan was affixed on all documents for mofussil areas.<sup>13</sup>

(iii) He reorganized the *muluki adda*<sup>14</sup> (home and general office) and merged *ain khana* and *kausal* (law department) with it.

<sup>8</sup> Werner Levi, *Government and Politics in Nepal*, p. 185.

<sup>9</sup> Reforms introduced by Chandra are discussed in the following pages.

<sup>10</sup> Bada Kaji Manik Lal, *op. cit.*, p. 7.

<sup>11</sup> *Ibid.*, p. 11. Documents having both the prime minister's and the C-in-C's seals.

<sup>12</sup> *Ibid.*

<sup>13</sup> *Ibid.* Also based on this author's personal examination of such seals on Chandra's *khadga nishana sanads*.

<sup>14</sup> *Muluki Bandobast Adda Sambandhi Bant Phant Ko Sawal*, 1980 V.S., HMG Nepal, D. No. 260, MLR.



(iv) He intensified *daudaha* system<sup>15</sup> (inspection tours) in the districts.

(v) *Munshi khana* and *jaisi kotha*<sup>16</sup> (foreign office and Tibetan office) were now placed under the direct control of the Rana prime minister.

(vi) As supreme head of the judiciary, he opened *bintipatra niksari adda* as the last court of appeal, for both civil and criminal cases under the prime minister's direct charge.

(vii) The old *jangi adda* (defence department) was replaced with a new *jangi bandobast*<sup>17</sup> office under *jangi lat*.

(viii) The old *kumari chowk*<sup>18</sup> office was reorganized to have more sections in order to have stricter control over audit and accounts.

(ix) A *gharkaj adda*<sup>19</sup> (PWD) was opened under the prime minister's direct charge to construct palaces and government offices.

(x) To house various departments of the central government directly under the prime minister and for his commodious and dignified official residence, Chandra spent Rs 50 lakhs over the construction of the Singha Darbar<sup>20</sup> with 1,400 rooms. It became the country's first central secretariat after the 1950-51 revolution.

(xi) For the first time he separated *diwani* (civil) and *fouzdari* (criminal) courts.

(xii) It was he who introduced the director-general's<sup>21</sup> post in the central administration.

(xiii) By appointing his son, Mohan, to the important post of secretary-general or hajuria-general, Chandra consolidated his

<sup>15</sup>*Purva Pachhim Daudaha Sanad Sawal*, 1961 V.S., HMG Nepal, D. No. 5, MLR.

<sup>16</sup>*Munshi Khana Jaisi Kotha Sawal*, 1974 V.S., HMG Nepal, D. No. 169, MLR.

<sup>17</sup>*Jangi Bandobast Khadga Nishana Sanad*, 1980 V.S., HMG Nepal, D. No. 259, MLR.

<sup>18</sup>*Shri Kumari Chowk Naya Bandobast Sawal*, 1980 V.S., HMG Nepal, D. No. 263, MLR.

<sup>19</sup>*Singha Darbar Gharkaj Adda Sawal*, 1967 V.S., HMG Nepal, D. No. 52, MLR.

<sup>20</sup>*Report on the Political and Administrative Condition of Nepal for the Year 1902-1903*, letter from Lt. Col. C.W. Ravenshaw, officiating Resident in Nepal, *Foreign Secret E*, September 1903, NAI.

<sup>21</sup>To be discussed in necessary detail in the following pages.

authority and wielded close supervision and control over the Nepalese administration.

(xiv) He introduced some new offices,<sup>22</sup> viz. (a) *Rakam Bandobast* office, to investigate and report on different sources of revenue and to dispose off monopolies; (b) commission office to devise means and methods for the smooth introduction of desired reforms in different civil departments; and (c) Agriculture office to deal with agricultural development plans.

(xv) He experimented with an administrative innovation by setting up *Shresta Pathshala*,<sup>23</sup> to train civil servants and develop a body of expert officials to man the various departments of Rana government.

(xvi) To improve personnel administration, he substituted cash payment of salary as far as possible for jagirs and abolished the *kagte hulaki rakam* system in 1914,<sup>24</sup> under which land was assigned to mail carriers.

In order to consolidate the authority of the Rana prime minister, Chandra abolished the practice of separate flags used by all brothers of the prime minister. He introduced the system of one flag to be used only by the prime minister.<sup>25</sup>

Besides these reforms and reorganization of the central administration, he undertook some important measures to improve the valley and district administration.<sup>26</sup>

For the valley, he set up the *sadar jangi kotwali* (or the court martial) and the *thana*. Both were directly under the *hajuria*-general. The *thana* was a police court. Bhaktapur and Lalitpur were placed under brigadier-generals.

For better district administration, eight *goswaras* were opened in the *tarai* districts for good government and collection

<sup>22</sup> Letter from Major J. Manners Smith, dated 21 July 1905, *op. cit.*, para 12, NAI.

<sup>23</sup> Opened in 1962 V.S. in the house of Mahila Guruju Pandit Hemraj for training of civil servants. In 1974 V.S. examination was also held to enter this pathshala. Information supplied by Babu Ram Acharya.

<sup>24</sup> *Okhaldhunga Revenue Regulations*, 1934 A.D., Section 45, HMG Nepal, MLR.

<sup>25</sup> Babu Ram Acharya said: "Jang Bahadur first introduced two flags (one for *Shri Panch* and other for *Shri Teen*). Later he introduced five flags to be used by all his brothers. Chandra again reverted to two flags *Shri 5* and *Shri 3*."

<sup>26</sup> To be discussed in detail in Chapter III.

of land revenue. For the pahad districts, two military goswaras for east and west, directly under the second brother, mukhtiyar, were organized.

For better administration of the forests, the office of banjanch goswara was opened and a number of chowkis of forest guards were also set up.<sup>27</sup>

Chandra also reformed the internal administration of the prisons and gave police a system and organization<sup>28</sup> with proper uniforms and pay scale.<sup>29</sup>

By these and other measures (abolition of slavery and sati and other legal reforms, etc.), Chandra brought the Rana system to the apex of its glory and consolidation and made the Rana prime minister the *de facto* sovereign of Nepal.

The Rana administrative system continued to function as an instrument to carry out the personal wishes and interests of the ruling Rana prime minister and the Rana oligarchy, with accountability neither to the king nor to the people. The system continued as such until its overthrow in 1951. In its aims and methods, there was no change during the period 1929-51, except the change in leadership and only few changes in administration, the pattern of which was given a final shape by Chandra Shamsher.

#### ADMINISTRATIVE CHANGES FROM BHIM SHAMSHER TO MOHAN SHAMSHER, 1929-51

Bhim Shamsher, who succeeded Chandra after his death in November 1929 effected more centralization in the system. During his rule of 34 months, no significant measure of public reforms or administrative changes took place. Some minor measures to his credit include grant of a weekly holiday on Saturday to all government employees; fixation of office hours from 10 A.M. to 4 P.M.; a *ukhara janch commission*, under a Rana general, Tej Shamsher, set up in 1937 V.S. to introduce reforms in the zamindari system in Butwal district; introduction of silver currency and setting up of a municipality in Kath-

<sup>27</sup>Letter from Major J. Manners Smith, *op. cit.*, para 2, NAI.

<sup>28</sup>For details, see Landon, *op. cit.*, p. 195. Also *Birganj and Khajhani Zilla Police Sawal*, 1971 V.S., HMG Nepal, D. No. 113, MLR.

<sup>29</sup>*Ibid.*

mandu in 1989 V.S.<sup>30</sup> and *Panchayats* in 1987 V.S.<sup>31</sup>

Juddha Shamsher, who succeeded Bhim in 1932 “sought to inject a note of modernity, feeble though it was, into the medieval Rana Government.”<sup>32</sup>

Some of his important measures were: (i) separation of the executive and the judicial functions in the districts; (ii) establishment of appeal courts in the districts and a high court at Kathmandu; (iii) liberalization and decentralization of administration in the sense that too much authority to the mukhtiyar given by Chandra was now decentralized and distributed to the four commanding generals in the east (*pukaj*), west (*pakaj*), north (*ukaj*) and south (*dakaj*) and other Rana generals; (iv) for the first time currency notes were circulated in Kathmandu and the Nepal Bank with seven branches was opened on Kartik 7, 1994 V.S.; (v) for the first time the administration introduced rationing and price control in the valley; (vi) some new government offices and departments were opened—the census goswara, bureau of commercial intelligence and central statistics, cottage industries office, industrial council and *ban goswara*, *batokaj adda*, *juddha varunyantra*<sup>33</sup> and Nepal Trading Corporation,<sup>34</sup> and (vii) company laws were passed to help Nepal set up new industries. A total of 21 new companies were also opened.<sup>35</sup>

Juddha’s government also opened a technical school, a *chidiyakhana* (zoo),<sup>36</sup> and a museum<sup>37</sup> at Kathmandu. The government gave relief to the sufferers of the 1934 earthquake and set up an earthquake relief fund in which the prime minister donated three lakh rupees.

<sup>30</sup> *Municipal Naya Sawal*, 1989 V.S., HMG Nepal, D. No. 499, MLR.

<sup>31</sup> *Panchayat Sanad*, 1987 V.S., HMG Nepal, D. No. 411, MLR.

<sup>32</sup> Joshi and Rose, *op. cit.*, p. 35.

<sup>33</sup> *Juddha Varun Yantra Adda Tok Sadar Sanad*, 1994 V.S., HMG Nepal, D. No. 766, MLR.

<sup>34</sup> *Nepal Trading Corporation Sawal*, 1989 V.S., HMG Nepal, D. No. 525, MLR.

<sup>35</sup> For example, Biratnagar Jute Mill, Juddha Match Factory, Biratnagar Cotton Mill, Birganj Cotton Mill, Nepal Plywood and Bobbing Co., Morang Hydro-Electric Supply Co., Nepal Soap Factory, etc.

<sup>36</sup> *Jawala Khel Chidiyakhana Sawal*, 1992 V.S., HMG Nepal, D. No. 678, MLR.

<sup>37</sup> *Nepal Museum Ko Sawal*, 1998 V.S., HMG Nepal, D. No. 864, MLR.

Padma Shamsher succeeded Juddha in November 1945. Till then Nepal was exposed sufficiently to modernizing influences. Padma took the whole country by surprise when he described himself as “the servant of the nation.”<sup>38</sup> It was very un-Rana like. Padma wanted to liberalize the Rana system, foreseeing the political developments across the southern border. We shall examine later his constitutional reforms, the Constitutional Committee and the Government of Nepal Act, 2004 V.S. (1948 A.D.). But before he could implement these reforms he was forced to abdicate on 26 April 1948. The Rana system as consolidated by Chandra was passed on safely to the hands of his son, Mohan Shamsher, in 1948.

In his first public speech, Mohan bluntly declared his intention of ruling the country “in accordance with the traditional usages and customs of the forefathers.”<sup>39</sup> He centralized the administration in his hands, withdrew the limited autonomy granted to Kathmandu municipality, and curtailed freedom of speech and expression.<sup>40</sup> We shall examine in the following pages how the king, the people and the political parties as well as the disgruntled Ranas combined against Mohan and the whole system proved unequal and the old order collapsed in 1951.<sup>41</sup>

Thus, from Chandra to Mohan, the Rana administrative system remained the same though with minor changes here and there until its overthrow in 1951.

In this background, we shall now turn our attention to the traditional power structure of the Ranas—the duality of the king and the Rana prime minister—at the centre, the Rana oligarchy and the structure of the central administration during 1901-51.

#### TRADITIONAL POWER STRUCTURE AT THE CENTRE: SHRI PANCH MAHARAJADHIRAJ AND SHRI TEEN MAHARAJA, 1901-51

(a) *Shri Panch Maharajadhiraj*. In the traditional power structure of the Rana political system the duality of the king, called

<sup>38</sup> *Gorkhapatra*, Kathmandu, Marg 29, 2002 V.S.

<sup>39</sup> *Ibid.*, Baisakh 18, 2005 V.S.

<sup>40</sup> *Maulik Hak Sanbandhi Ain*, Kathmandu, Gorkhapatra Press, 1949, pp. 1-4.

<sup>41</sup> For details see Chapter V.

the Maharajadhiraj or Shri Panch, and the prime minister, called Maharaja or Shri Teen, continued till 1950-51. By duality is meant that the king (as *de jure* sovereign) and the prime minister (as *de facto* sovereign) coexisted from Jang Bahadur to Mohan Shamsher in spite of the fact that Jang Bahadur had made attempts to usurp the throne and the attempt was repeated by Chandra. So far as the administration was concerned, the king was forced to retire into his palace most effectively, first by Jang and then by Chandra.

Next to Jang it was Chandra, who further reduced monarchy to imbecility, and successfully isolated it from the people, politics and government. He made the king a prisoner in the palace and in the *nachghar*,<sup>42</sup> but proclaimed him outside as God Vishnu incarnate.

C. W. Ravenshaw, officiating British Resident in Nepal, in a letter to the Government of India, dated 4 July 1903, wrote:

On the occasion of the Darbar held at Delhi on 1st January 1903 the celebration of the coronation of His Majesty King Edward VII, His Excellency the Viceroy invited His Highness the Maharaja Dhiraj, or failing him, His Minister, to Delhi as the guest of the Government of India. His Highness, while regretting his inability to attend personally, accepted the invitation for the Prime Minister, *whom he described as his otherself*.<sup>43</sup>

Jang Bahadur had forced King Surendra in 1856 to assign his sovereign powers to him and also confer on him the title of Maharaja, thus making the prime minister a parallel king. Chandra confirmed this position on his accession to power through a royal proclamation of King Prithvi Bir Bikram in 1901<sup>44</sup> and through a letter from the king to the viceroy of India referred to by Ravenshaw.<sup>45</sup>

About the new position of the king, J. Manners Smith,

<sup>42</sup> In this *nachghar*, located inside the royal palace, the king was allowed to keep 500 young maidservants. The list of girls remained with the prime minister. The choice of selection lay with the king.

<sup>43</sup> *Foreign Secret E*, September 1903, Progs. No. 73, para 3, NAI.

<sup>44</sup> Landon, *op cit.*, p. 84.

<sup>45</sup> *Foreign Secret E*, September 1903, *op cit.*, Progs. No. 73, NAI.

officiating British Resident in Nepal, wrote in his confidential letter, dated 21 July 1905 to the Government of India:

He (Chandra Shamsher) appears to be on good terms with the Maharaja Dhiraj, who is by birth his own cousin, and he is scrupulously careful to maintain the dignity and honours due to His Highness the Maharaja Dhiraj in public as the sovereign of Nepal. Maharaja Chandra Shamsher's third son, General Kaisor Shamsher, is married to the eldest daughter of the Maharaja Dhiraj, and her younger sister will marry General Singha Shamsher the fourth son of the Minister, in 1906. As a matter of fact, however, the Maharaja Dhiraj has practically no authority, and even his charities are regulated and restricted by the orders of the Prime Minister.<sup>46</sup>

Through marriages, which were in the nature of "down-right political treaties,"<sup>47</sup> Chandra tried to capture the palace. According to Babu Ram Acharya,<sup>48</sup> Chandra had made a new law for succession to the throne after he had his son married to King Prithvi Bir's eldest daughter to facilitate the royal princess to accede to the throne. But the old king was blessed with a son, Tribhuvan Bir, and Chandra's hopes to usurp the throne for a Rana, were shattered.

It was impossible to say which function the king actually retained. No doubt, he was taken to appear in religious ceremonies, but then he was to line himself up with the lifeless images of deities. This showed the impotent character of the royalty.

The king's personal life was too much enmeshed in restrictions imposed by the Rana prime minister.<sup>49</sup> He was too much supervised. Even members of the royal family needed the prime minister's permission to meet the king. The foreign

<sup>46</sup>*Foreign Secret E*, September 1905, *op. cit.*, NAI.

<sup>47</sup>P. J. B. Rana, *Life of Maharaja Sir Jang Bahadur of Nepal*, 1909, Allahabad, p. 171.

<sup>48</sup>Interview with Babu Ram Acharya. Also see Joshi and Rose, *op. cit.*, p. 35.

<sup>49</sup>For an interesting account of such restrictions on King Tribhuvan's life, see Erika Leuchtag, *With a King in the Clouds*, London, 1958.

ministry censored all the correspondence of the king. In a word, the king was a prisoner of his own prime minister. An account written in 1943, by Hassoldt Davis is interesting and relevant in this connection. Davis writes:

The present puppet King lived in a palace hardly less sumptuous than his Prime Minister's. The fairest, the softest, the most artful girls of Nepal were chosen by Ministerial Cabinet to keep him contented. . .the sweetest opium of Mongolia was brought to him in jars of jade and its use encouraged alike by the paramours and the family physician. He must be contented; he must be a good little boy and keep his fingers out of the Nepalese jam-pot which should by rights be his. To this he has been enticed even before puberty with the dissipations which in his twenties left him vitiated of mind and body both.<sup>50</sup>

Thus the kings under the Ranas were completely depoliticized.

Throughout the period (1901-51) *Shri Panch* existed as a traditional institution, and a mere traditional head, to perform some traditional formal functions in the Rana administration. Such functions were to: (i) hold darbars on important occasions in order to make proclamations and announcements; (ii) issue Lal Mohars, panjapatras, etc.; (iii) receive foreign envoys and correspond, if necessary, with foreign governments; (iv) represent state in religious ceremonies, as spiritual head, and as incarnation of God Vishnu.

(b) *Shri Teen Maharaja Prime Minister*. (i) *Position*. A novel political institution amongst the Ranas—*Shri Teen Maharaja Prime Minister*—“combined the functions of a prime minister and those of a king, having full sovereignty over a part of Nepal and in a sense sharing with the king the sovereignty over the rest of Nepal.”<sup>51</sup>

In the words of Hassoldt Davis, “. . .there is a King of Nepal as well as the Maharaja, and that the Maharaja is properly

<sup>50</sup> Hassoldt Davis, *Nepal, Land of Mystery*, London, 1943, pp. 220-21.

<sup>51</sup> Satish Kumar, *Rana Polity in Nepal*, 1967, Bombay, p. 63.



the Prime Minister. The King, whose real title is Maharaj Adhiraj is as much a puppet as the King of Italy, while the Prime Minister, Maharaja, has almost autocratic powers. The entire national revenue passes through his hands. There is no doubt that he is one of the wealthiest man in the world, and perhaps one of the wisest, to maintain his Kingdom inviolate from the foreign influence.”<sup>52</sup>

The Rana prime minister, in this duality of the traditional power structure, had completely overshadowed the king, so much so that the entire Rana state machinery in practice meant “total subjection”<sup>53</sup> to one individual will, who wielded unlimited, unbridled powers, “unequalled even by Hitler and Mussolini in their respective countries under fascist dictatorship.”<sup>54</sup>

In a letter dated 16 August 1907 to the Government of India, J. Manners Smith, the British Resident in Nepal, wrote:

In February Maharaja Chandra Shamsheer paid a visit to Calcutta to pay his respects to His Excellency, the Viceroy. The Minister's position in Nepal grows stronger year by year. Except as a polite fiction for purposes of court state and for the transaction of the official business with the Government of India, he is in no sense the mouthpiece of the Maharaja Dhiraj; but is recognised as the *Maharaja, Tin Sarkar*, and Head of the Government. His powers over the revenues of the State are subject to no control, except his own moderation and the slight check which the necessity of ensuring the tacit concurrence of a small clique of officials, who are personally interested in the maintenance of the existing system, imposes on him.<sup>55</sup>

In a word, the Rana prime minister enjoyed complete monopoly of power. A study of sanads reveals that the title “Rana” was conferred by King Surendra in 1858, first to Jang Bahadur and then it passed on to the family. The title of

<sup>52</sup>Davis, *op cit.*, p. 201.

<sup>53</sup>D.R. Regmi, *A Century of Family Autocracy in Nepal*, 1958, p. 7.

<sup>54</sup>*Ibid.*, p. 6.

<sup>55</sup>*Foreign Secret E*, December 1907, Progs. No. 121, para 1, NAI.

“Prime Minister” or “Prayam Minista,” was also first used for Jang Bahadur, who was also called mukhtiyar, which was later used for the second brother called Chief Saheb. The title of “Maharaja”, came first to Jang Bahadur, as he assumed the maharajaship of Kaski and Lamjung. The title “Shri Teen” referred to the Hindu practice of writing Shri, Shri and Shri for the prime minister and “Shri Panch,” that is, Shri, Shri, Shri, Shri and Shri for the king of Nepal. The title “Jang Bahadur Rana” was appended to the names of all the descendants of Jang and his brother Dhir. So was the Rana prime minister called “Shri Teen Maharaja Prime Minister” till the 1950-51 revolution.

(ii) *Powers and Functions.* Since the control of the military was the key to the survival of the Rana political system, Shri Teen Maharaja was not only prime minister but also the supreme commander-in-chief, his nearest brother being mukhtiyar and commander-in-chief (or Chief Saheb).

He was the supreme head of the executive, the legislative, the judicial, and the military wings of the CIVMIL pattern of Rana administration; the sole repository of all governmental functions and authority; the pivot in the politics, government and administration of Nepal.

The scope of the jurisdiction of his powers—executive, legislative and judicial—“remained mostly undefined and he ruled the country more or less like an absolute despot.”<sup>56</sup>

A study of the two Lal Mohars,<sup>57</sup> and the sanads of the prime ministers from Chandra to Mohan reveal that his powers fell broadly under four categories: executive, legislative, judicial and military. To these four may be added some miscellaneous ones also. We shall briefly examine each one of them.

(a) *Executive Powers.* The prime minister was the chief executive head and he alone hired and fired all civil, judicial and military officers. His power of appointment and dismissal was absolute, unlimited and unrestricted.

<sup>56</sup> Anirudha Gupta, *Politics in Nepal*, New Delhi, 1964, p. 14.

<sup>57</sup> These *Lal Mohars* gave legal sanction to the prime minister's powers and functions. They were (a) Lal Mohar dated 28 June 1857; (b) Lal Mohar dated 6 August 1856, and (c) royal proclamation of 1901 referred to earlier.

D.R.Regmi observes: "As matters stand, even peons of various offices have to be taken in person before the Prime Minister for formal appointment which is indicative of the nature of the control he exercises over the administration."<sup>58</sup>

This power of appointment and dismissal was exercised through two novel institutions, unheard of in any administrative system of the oriental world, namely, Roll of Succession and Pajani.<sup>59</sup>

"The roll of succession," writes Satish Kumar, "regulated appointments of the Rana oligarchy to the hierarchy of senior civil and military offices which were open to the Ranas only."<sup>60</sup>

The "rollwallahs" were therefore the holders of the highest rank in the military and civil administration. They were very senior Ranas in birth in a particular generation.

The prime minister had acquired by usage and custom the power to expel from the roll persons undesirable or unacceptable to him. He had the power to reconstitute the roll.

Another institution called pajani, which was "originally an important instrument in the hands of the kings to change the character and composition of the government,"<sup>61</sup> changed hands during Rana rule, and was exercised by the prime minister as a powerful weapon of annual reviewing of all appointments from mukhtiyar or Chief Saheb down to sipahi or tahluva.

The annual pajani did not restrict the prime minister from arbitrary dismissal or appointment of any man, any day, he pleased.

Since Chandra Shamsheer's regime, the prime minister had taken under his direct control the four Departments of khadga nishana adda, munshi khana, bintipatra niksari adda, and gharkaj adda. The other most important department of home and general, the muluki bandobast adda, was under the mukhtiyar or Chief Saheb working directly under the prime minister.

Every business of the government and administration was transacted under the prime minister's seal known as khadga

<sup>58</sup>D.R. Regmi, *op. cit.*, p. 7.

<sup>59</sup>For details see Chapter IV.

<sup>60</sup>Satish Kumar, *op. cit.*, p. 81.

<sup>61</sup>*Ibid.*, p. 82.

nishana. The prime minister alone could declare war, make peace and conclude treaties.

(b) *Legislative Powers.* The prime minister was the supreme authority to make or unmake laws and administrative regulations called sawal and sanad, for the administration of the country. The legal code (muluki ain), the administrative code (muluki sawal) and other laws and regulations were framed accordingly. Since Chandra's regime, the muluki adda ain sawal phant, under the muluki bandobast adda, prepared all laws under the supervision of the Chief Saheb and a trusted Rana. There was no committee system in this department. The draft of a bill or sawal was sent to the prime minister who, as supreme legislator, approved, disapproved, altered the bill and gave it finality through his seal which made the bill law.

As supreme legislator, it was he who alone decided enactment, amendment and repeal of ains, sawals and sanads.

(c) *Judicial Powers.* As judicial authority, the prime minister was the highest court of appeal. He could alter the judgment of the highest court of the land. In fact he could fine, imprison, put to death, exile, reduce the caste, upgrade and change the caste, exempt, reduce, commute sentences, according to his will, regardless of the law of the land and independently of the judicial hierarchy in the country.

He had both appellate and original jurisdiction as the highest court of the land. Chandra had set up the bintipatra niksari adda for such judicial purposes directly under his supervision and control to receive bintipatras (petitions or complaints or appeals) and to order enquiry wherever necessary referring to the department concerned, and to give judgments on the spot with the help of judicial officers.

(d) *Military Powers.* The administrative system of the Ranas was an undisguised military despotism of the Rana family. Therefore the prime minister was also the supreme commander and his next brother, the Chief Saheb, was the commander-in-chief. However, in practice, it was the third brother, the commanding general of the west who was the jangi lat and the active head of the army on behalf of the prime minister.

(e) *Miscellaneous Powers.* The prime minister's powers and functions knew no bounds. He was the supreme controller and the supreme decision-maker in the political, governmental,

administrative, revenue, religious and social fields. He was the key figure or the command figure in the Nepalese state and government and not a leaf could move without his wishes. The nature of his authority and control was completely absolute and totalitarian.

Since there was no line of demarcation between state funds and the purse of the prime minister, there was no system of budget. The prime minister controlled the expenditure and not a single paisa could be spent out of the central treasury (kausi) without his sanction.

Common people in Nepal called the Prime Minister "Shri Teen Sarkar" and in conversation addressed him as "Prabhu" (God). The members of the Rana family addressed him as "Hazur" (Lord). He had his own flag and *shirpench* (crown)<sup>62</sup> and received a salute of 21 guns within the territory of Nepal.

This usurpation of the supreme power in the land by the prime minister culminated in the *de facto* overthrow of the king and its replacement by the Rana oligarchy which in politics, government, administration, culture, and society of Rana Nepal represented "the feudal system of the western Europe."<sup>63</sup>

#### RANA OLIGARCHY AS AN ADMINISTRATIVE ENTITY, 1901-51

The survival of the maharaja prime minister depended upon the survival of the Rana oligarchy, which in turn depended upon the internal support of the military in Nepal and external support of the British in India. People meant nothing to the oligarchy. It thrived on the backwardness, ignorance and rigid modes of thought and patterns of life, and the social, ethnic and caste inequalities of the people of Nepal, enmeshed in a traditional society. The Rana oligarchy which stood between the king at the top and the lesser civil and military personnel at the bottom, was an intermediary but a powerful administrative entity in Nepal until 1951.

This powerful oligarchy as an administrative entity comprised the real rulers and administrators of Nepal, all from

<sup>62</sup>*Ibid.*, p. 17.

<sup>63</sup>E. Himsworth, *The Fiscal System of Nepal, A Report to His Majesty's Government*, Technical Assistance Organisation, United Nations, Kathmandu, 1959, para 2, p. 1.

one family of the Ranas who ran the whole Nepalese administration. Obviously, it had monopolized all the key civil and military posts in Nepal. The oligarchy included the Rana prime minister and some 20 to 30 rollwallas (family members on the succession roll).

Since we have already discussed the position, powers and functions of the Rana prime minister, we shall now refer briefly to other members of this oligarchy.

(i) *Commander-in-Chief or Chief Saheb*.<sup>64</sup> He was the next brother on the roll, the repository of all civil and military powers, ever ready to succeed to the coveted post of the maharaja prime minister. As we have discussed earlier, the title of mukhtiyar which was used for the prime minister, later was used for the Chief Saheb. This signified the promotion of the prime minister to maharajaship and the second brother (Chief Saheb) to that of mukhtiyarship, the head of the military and executive government.

As head of the executive, he was the real head of civil administration and since Chandra's administrative reorganization, he controlled, coordinated and supervised the working of about 15 major departments of central administration<sup>65</sup> and other 57 less important departments.<sup>66</sup>

All these departments and offices had a set of non-Rana personnel,<sup>67</sup> who had to work very hard for long hours and were ill-paid and under constant threat of dismissal. As formal head of the army he held inspection of the army, approved appointment and dismissal of army officials done by jangi lat, planned military policy and could lead the army to war.

The Chief Saheb received his salary in kind (a jagir) worth

<sup>64</sup> *Shri Chief Saheb Ko Nau Ma Bhaiye Ko Khadga Nishana Sanad*, 1969 V.S., HMG Nepal, D. No. 92, MLR. This sanad was given by prime minister Chandra Shamsher to Chief Saheb Bhim Shamsher. Two more sanads dated 1964 V.S. and 1965 V.S. giving *akhtiyari* (authority) to Chief Saheb are tagged with the sanad dated 1969 V.S. All these three sanads give a fairly good idea of the powers and position of the C-in-C in the Rana administration.

<sup>65</sup> A list of 15 major departments appears in the following section.

<sup>66</sup> A list of other 57 less important departments also appears in the following section.

<sup>67</sup> For details see Chapter IV, first section.

Rs 50 to 60 thousand annually.<sup>68</sup> He was also granted a lump sum of money to start with and meet initial establishment costs. He enjoyed the services of new recruits, guards, bodyguards, civil and military officials. During the absence of the prime minister he officiated in his post.

*The Senior Commanding-General for the West (Pakaja)*<sup>69</sup>. He was also called the Jangi Lat as he was the real head of the army. He was senior to the other three commanding generals for the east, north and south, as the western force constituted a major part of the Nepalese army. He had also some special responsibilities regarding the whole Nepalese army and was head of the jangi adda, that is, the military administration.

As Jangi Lat he made all appointments, promotions and recruitments in the army, subject to the approval of the C-in-C and the prime minister.<sup>70</sup> He recommended all military awards and titles, attended parade and inspected the army, listened to bintipatra of the soldiers, sanctioned *birami* (sick leave),<sup>71</sup> etc.

He was granted a jagir of about Rs 50 thousand annually, besides guards, bodyguards, civil and military staff for his dignity at state expense.

(iii) *Eastern, Southern and Northern Commanding-Generals (Pukaja, Dakaja and Ukaja)*.<sup>72</sup> All these three commanding generals, the fourth, fifth and sixth brothers respectively of the Rana prime minister performed both military and civil functions and were generally appointed as *tainathwala* in such departments as post and telephone, forest, woods, municipality, etc. Their offices were located in their residences. They received jagirs of about Rs 40 thousand annually besides the privilege of bodyguards, guards, civil and military staff.

(iv) *Generals, Lieutenant-Generals, Major-Generals, Colonels and Lieutenant Colonels*. The number of such officers varied from

<sup>68</sup>Satish Kumar, *op. cit.*, p. 97.

<sup>69</sup>*Jangi Adda Jangi Bandobast Naya Sawal*, 1991 V.S., HMG Nepal, D. No. 629, MLR. This document also reveals the powers of the pakaja, pukaja, dakaja and ukaja (the four commanding generals in the west, east, south and north).

<sup>70</sup>*Ibid.*

<sup>71</sup>*Ibid.*

<sup>72</sup>*Ibid.*

time to time. According to Satish Kumar, "it depended on seniority in age, legitimacy (or illegitimacy) in terms of Rana lineage, and, of course, on political rivalries within the Rana family."<sup>73</sup>

The members of the Rana oligarchy performed "routine military functions of attending parades, providing and receiving salutes and ceremonials and receptions."<sup>74</sup> and leading the troops in wars.

They were also heads of civil departments assigned to them by the prime minister on a regular or *ad hoc* basis. During Chandra's regime they were appointed directors-general of education, English, Sanskrit and Nepali, technical, etc. During Juddha's regime they were appointed incharge of cottage industries, commerce, police and health, etc.

All of them received jagirs from about Rs 25,000 to two thousand rupees annually, besides guards and bodyguards.

The Rana oligarchy, in general, from C-in-C to Lieutenant colonel was subordinate to the prime minister. Within the oligarchy each was subordinate to the other higher in rank. So was the Rana oligarchy, very powerful and highly stratified, and thus, in essence, an extension of the Rana military hierarchy into civil administration.

#### DEPARTMENTS OF CENTRAL ADMINISTRATION, 1901-51

No assessment of the administrative system of the Ranas can be made without some knowledge of the organization, powers and functions of the various departments of central administration which functioned through traditional administrative processes to cater to the needs of a traditional society, a status-oriented, power-mad oligarchy and the whims of a highly personalized autocracy. Administration under the oligarchical rule of the Rana family became little more than the maintenance of law and order and the collection of land revenue. Administrative activities were most noticeable within the Kathmandu valley. Only a few services extended beyond the valley. Public expenditure was kept to the minimum as "the surplus of

<sup>73</sup>Satish Kumar, *op. cit.*, p. 98.

<sup>74</sup>*Ibid.*



revenue over expenditure for the year” became “the sole property of the maharaja prime minister.”<sup>75</sup>

Since the Rana system of administration lacked a central secretariat,<sup>76</sup> the departments of central administration were scattered all over the valley in the private palaces of the Ranas. For the first time it was Chandra who attempted to organize a little secretariat of his own at the Singha Darbar in order to coordinate, consolidate and control the activities of various goswaras, addas and khanas in administration. An attempt has been made in the following pages to give whatever information has been available<sup>77</sup> about the organization, powers and functions of a variety of complex and sometimes confusing and overlapping departments of central administration of the Ranas.<sup>78</sup> The major departments of administration during the period under study were:

(i) *Khadga Nishana Adda*, first set up in 1917 by Chandra Shamsheer<sup>79</sup> was at the apex of the administrative apparatus, as “this office represented the Supreme authority of the Rana Prime Minister over all branches of government and was directly under him.” It issued “*Sarvopari Adesh* (Supreme Command) to all Government Departments; authorised various *Addas* to function according to the rules of business; issued directions to Government Departments; kept general supervision and control over all Government Departments; and coordinated their various activities.”

Describing the *khadga nishana seal* Bada Kaji Manik Lal writes: “*Khadga Nishana* was a seal bearing a sword or trident or arrow on top and the abbreviated signature of the Prime Minister below.”<sup>80</sup>

<sup>75</sup>Himsworth, *op. cit.*, para 4, p. 1.

<sup>76</sup>Only after the revolution was a central secretariat at the Singha Darbar organized with ten ministries in February 1951.

<sup>77</sup>Based on this author's personal examination of 1082 original sanads and sawals from 1959 V.S. to 2007 V.S. (from Chandra to Mohan) made available to him at Kathmandu at the ministry of law, Dilli Bazar, Kumari Chowk and Basantpur goswara tahvil record offices.

<sup>78</sup>The list of the various departments is based on the above study as well as interviews with Babu Ram Acharya, Chitranjan Nepali, Ganga Vikram Sijapati, Subba Krishna Prasad Gautam, Rudraraj Pandey and others.

<sup>79</sup>Bada Kaji Manik Lal, *op. cit.*, pp. 7-8.

<sup>80</sup>*Ibid.*, p. 3.

Orders on which the khadga nishana seal was to be affixed "were issued in the presence of a *sakshi* (witness) of the Khadga Nishana Adda."<sup>81</sup> It was affixed on documents concerning the following matters:

- (a) Enactment, amendment and repeal of laws;
- (b) Approval of Memos (Memo Sadar);
- (c) Delegation of powers to the *Mukhtiyar*;
- (d) Birta grants in favour of the Prime Minister;
- (e) Permission for gambling, and
- (f) All appointments, transfers and promotions. . . ."<sup>82</sup>

This office functioned as the prime minister's office. All documents were countersigned by the mukhtiyar (Chief Saheb) and other authorities. The office had a hakim, a sardar, a subba, a kaji, a sakshi and other officials.<sup>83</sup>

(ii) *Bintipatra Niksari Adda*, set up by Chandra Shamsher, served first as the last court of appeal of criminal and civil cases from all over Nepal. It was thus the prime minister's highest judicial office, directly under him and independent of the judicial hierarchy in the country. It had both original and appellate jurisdiction and its decision was final. Secondly, it was also the highest office to receive bintipatras or petitions or grievances from junior officials, and people in general, about injustices done to them by any officer or any office. The office referred those petitions to appropriate administrative departments for comments and then the petitions were finally disposed off by the prime minister.

Chandra Shamsher, in a khadga nishana sanad dated Bhadra 23, 1964 V.S. commands that "the *Bintipatras* of the *Dunia* (commoners) have been detained for long and delayed in various offices. The *Chief Saheb* (the Commander-in-Chief) is hereby commanded to send them quickly after his *Tok Chhap* (comments and seal), so that *Dunia* is not put to trouble. He is also commanded to prepare a resume of all *Bintipatras* and send the same to the *Khadga Nishana Adda* for approval and *Junaf's* (Prime Minister's) sanction."<sup>84</sup>

<sup>81</sup>*Ibid.*

<sup>82</sup>*Ibid.*

<sup>83</sup>*Ibid.*

<sup>84</sup>See *Khadga Nishana Sanad*, dated Bhadra 23, 1964 V.S. tagged with document No. 92 entitled *Chief Saheb Ko Nau Ma Bhaiye Ko Khadga Nishana*, 1969 V. S. issued by Chandra Shamsher, HMG Nepal, MLR.

In another khadga nishana sanad, dated Kartik 13, 1964 V.S., the administrative procedure to be followed in case of *Bintipatras* is laid down as follows:

*Bintipatra* must first go to *Junaf* (Prime Minister). After *Tok Chhap* it should go to the concerned *Adda* for investigation and information, for proof, witness, records, facts etc. *Chief Saheb* must see that *Addas* do not detain such *Bintipatras*. He must get them back quickly with *Adda's* comment, notes and records. *Chief Saheb* after his *Tok Chhap* should send them to *Junaf*. After *Junaf's* verdict at *Bintipatra Niksari Adda*, they should go to *Khadga Nishana Adda* for *Junaf's* final seal.<sup>85</sup>

It appears from this khadga nishana sanad that the maximum time limit fixed for the disposal of *bintipatras* was from seven to 35 days.<sup>86</sup>

According to Babu Ram Acharya: "*Bintipatras* could be given to both *Maharaja* Prime Minister and *Chief Saheb*, but only through *Bintipatra Niksari Adda*. Chandra introduced one rupee *Lifaf* (envelope) for a *Bintipatra*. Later, it was ordered that only the important ones should go to *Maharaja* and others should go to the *Chief Saheb*."<sup>87</sup>

The staff in this office included a colonel (always a Rana) and a sardar, besides subba, ditha<sup>88</sup> and Bichari (all non-Ranas).

After Chandra, during Bhim Shamsher's regime, this office was also called "apil niksari adda,"<sup>89</sup> as it received *apilpatras* (appeal petitions) from the courts in Nepal. It also received *bintipatras* (direct petitions) from individuals.

(iii) *Muluki-Bandobast Adda*, set up first by Jang Bahadur,<sup>90</sup>

<sup>85</sup>*Ibid.*, dated Kartik 13, 1964 V.S., issued by Chandra Shamsher, HMG, Nepal, MLR.

<sup>86</sup>*Ibid.*

<sup>87</sup>Interview with Babu Ram Acharya.

<sup>88</sup>Dittha of pre-Rana Nepal was now called Ditha.

<sup>89</sup>*Appeal Niksari Adda Sawal*, 1987 V.S., HMG Nepal, D. No. 416, MLR.

<sup>90</sup>Satish Kumar, *op. cit.*, p. 101. Also this author's interviews with Sardar Medini Rajbhandari, Chittaranjan Nepali, Babu Ram Acharya, Subba Gopal Das Vaidya, Subba Krishna Prasad Gautam and General Samrajya Shamsher JBR at Kathmandu.

was at the time of its inception called muluki adda.<sup>91</sup> Later, it was called muluki bandobast adda.<sup>92</sup> According to the British Resident in Nepal, J. Manners Smith, this office was reorganized and given a new shape by Chandra Shamsher, for the effective administrative control over Kathmandu and areas outside Kathmandu, over law and order, revenue collection, and general supervision over the whole administrative machine.<sup>93</sup> Juddha and Mohan had also reorganized this department. It was the most important department during the whole period of Rana rule, directly under the second brother, the Chief Saheb.

During Chandra Shamsher's regime and onwards, this department of home and general administration was organized into the following *phants*<sup>94</sup> (sections):

(a) *Ain Sawal Phant*, which worked directly under the commander-in-chief, dealt with codification, formulation, amendment and repeal of laws, administrative regulations, and legal codes. Formerly this section was called *kausal*,<sup>95</sup> and constituted a separate department. But Chandra made it a part of the home department. Legal experts and a judicial officer of the rank of *ditha*, besides *subba*, etc. were on the staff of this section. They formulated laws on the initiative of the prime minister or the C-in-C. All laws were submitted to the prime minister through the C-in-C and when approved were published through this department. It could thus be called a legislative council as well as a law ministry rolled into one, in a traditional way.

(b) *Muluki Adda Purji Phant*. This section gave authority and sanctions to the various government offices on the basis of *tok chhap* on orders, papers and documents received from the

<sup>91</sup>*Ibid.*

<sup>92</sup>*Muluki Bandobast Adda Sambandhi Bant Phant Ko Sawal*, 1980 V.S. It runs into 222 pages and reveals the organisation, powers and functions and the vast jurisdiction, control and supervision which this office exercised over the country's administration during the period, HMG Nepal, D. No. 260, MLR.

<sup>93</sup>Major J. Manners Smith's letter dated 21 July 1905, *Foreign Secret E*, September 1905, para 2, p. 16, NAI.

<sup>94</sup>*Muluki Bandobast Adda Sambandhi Bant Phant Ko Sawal*, *op. cit.*, MLR.

<sup>95</sup>*Kausal* means council, first set up by Jang, which codified the existing Nepali laws, popularly called *Jang Bahadur's Ain*.

prime minister and the C-in-C. *Purji* meant authority or sanction from the prime minister and the C-in-C.

(c) *Muluki Adda Report Niksari Phant*. This section received reports from the districts about law and order, revenues, woods, forest, sale of timber, foreigners, customs, etc. It issued instructions to them accordingly. It was again subdivided into three sections:

Pahad report niksari phant, dealing with hill districts; Madhes report niksari phant, dealing with tarai districts; and subdivided into east madhes and west madhes; and Nepal report niksari phant, dealing with the three cities in the Kathmandu valley (Bhaktapur, Lalitpur and Kathmandu).

Thus, this section dealt with the general administration of the districts.

(d) *Maskewari Phant*<sup>96</sup>. It dealt with the monthly reports sent to the prime minister and the C-in-C from various government offices about general administration in the sadar and mofussil districts and the shresta adda.

(e) *Nepal Pahad Bandobast Phant*. This was created for the revenue administration in the valley and hill districts, had four subsections, namely, lagat phant, report phant, birta phant, and tahvil phant.

(f) *Madhes Bandobast Phant*. This was created for the revenue administration in the tarai districts and had again four subsections, namely, lagat phant, report phant, birta phant, and tahvil phant.

(g) *Rakam Bandobast Phant*<sup>97</sup>. It dealt with government contracts and was directly under the C-in-C. It also collected *fatteh-mubarak-rakam*. In 1905 Major J. Manners Smith wrote about this office: "The *Rakam Bandobast* office was introduced by Chandra Shamsher to investigate and report on different sources of revenue and to dispose of monopolies."<sup>98</sup>

(h) *Kath Mahal Niksari Phant*. It dealt with the sale of timber and forest products, their management and administration and

<sup>96</sup>According to B. P. Khanal, this section was added by Juddha Shamsher in order to expedite implementation of government orders and instructions.

<sup>97</sup>Based on interview with Ganga Vikram Sijapati.

<sup>98</sup>Major J. Manners Smith's letter, dated 21 July 1905, para 2, NAI.

exercised general control over kath mahal hakims in the tarai who were appointed by Chandra Shamsheer.<sup>99</sup>

The above sections and their functions reveal the nature, importance and the vast jurisdiction of the muluki bandobast adda, during the Rana regime.

According to Ganga Vikram Sijapati, the muluki bandobast adda in general performed the following functions: “(1) formulate Government policy; (2) enact *Sanad*, *Sawal* and *Ain*; (3) issue instructions and directions to the district administration; (4) run the general administration of the country; (5) enact and implement all policies and orders regarding the trade and commerce, education, agriculture, forest, woods, natural resources etc. of Nepal; (6) to get *khadga nishana* seal on all documents; (7) to issue *Ishtihars* (notifications); and (8) to do all work which were necessary and vital for the safety and security of Nepal and the good government of the country.”

The executive head of muluki bandobast adda was the muluki subba who was in the rank of mir subba. The last surviving muluki subba was Subba Ram Gopal<sup>100</sup> who worked with Mohan Shamsheer, the last Rana prime minister.

But during Juddha Shamsheer, the executive head was a kaji.<sup>101</sup> As this department extended, too much burden fell on the shoulders of the C-in-C, Juddha delegated some of its work to the jangi lat and the commanding general of the east. For example, district administration, revenue, forest, woods, etc. were now supervised by the two commanding-generals. They also helped the C-in-C in running smoothly the general administration.

Two instances may be cited here to prove that the muluki bandobast adda used to go into unnecessary administrative details while issuing orders to various government offices. For example: (a) A tok sadar order dated Monday, Paus 23, 1980<sup>102</sup>

<sup>99</sup>*Ibid.*, para 3. Major Smith wrongly named them khat mahal instead of kath mahal hakims.

<sup>100</sup>According to Subba Gopal Das Vaidya who is still working in the kausi tosakhana at Kathmandu.

<sup>101</sup>*Ibid.* The name of this kaji was Narayan Bhakta.

<sup>102</sup>*Muluki Bandobast Adda Sambandhi Bant Phant Ko Sawal*, 1980 V. S., *op. cit.* This tok sadar is tagged with this document at the end, HMG Nepal, MLR.

V.S. issued detailed instructions to the police inspector's office as to how to "appoint strong and healthy men in police," and how, "once appointed, no Police can leave post during 36 months. After 36 months he can go to *Goswara* to resign his post,"<sup>103</sup> and etc; and (b) through a *dui chhape* document dated Monday, Shravan 15, 1980 V.S.,<sup>104</sup> this department ordered *Shrestha Kausal Adda* to keep with it a sum of rupees 50,000 (previously the limit was rupees twenty-five thousand) and that the amount exceeding should be sent to Kathmandu and etc. Obviously, these details which ran into about 50 pages, in each of these two documents could have been done just in only one page in each of them.

It is thus that the *muluki bandobast adda* functioned as the country's home and general administration office issuing directions and instructions to various addas and khanas<sup>105</sup> throughout the kingdom and receiving reports from them on the country's administration.

(iv) *Munshi khana*, first set up during the time of Bhim Sen Thapa,<sup>106</sup> was the foreign office of the Ranas, directly under the control of the Rana prime minister.

According to *munshi khana jaisi kotha sawal*, dated Monday, Asadh 32, 1974 V.S.,<sup>107</sup> its broad powers included: (a) formulation of foreign policy with regard to England, India, China and Tibet; (b) implementation of the policy laid down by sending *dui chhape* orders to various offices and border dis-

<sup>103</sup> *Ibid.*

<sup>104</sup> *Ibid.* This document is also tagged at the end of this sawal. Other instances may also be cited, e.g., the *purji phant* issued a sanction to an adda to purchase *paat* leaves. The report *niksari phant* in Falgun, 1980 V.S. received a report from *Shri Kumari Chowk madhes dusro phant* adda regarding a *bakyauta rakam* of Rs 9,008 to be collected. And it also asked for an additional hand. The report *niksari phant* authorized appointment of *Subba Lakshmi Prasad Padhyaya* and sent *hakim Khadga Prasad* of *muluki bandobast adda* to help in the collection of government's dues, etc. Thus, it could be said that this department worked through traditional processes of timelessness so typical of Rana Nepal.

<sup>105</sup> A long list containing names of 18 Government offices to which instructions, orders and directions were issued by *muluki bandobast adda* appear in the above sawal.

<sup>106</sup> *Satish Kumar op. cit.*, p. 103.

<sup>107</sup> *Munshi Khanna Jaisi Kotha Sawal*, 1974 V.S., HMG Nepal, D. No. 169. MLR.

strict administration; (c) issue *rahdani* (passport)<sup>108</sup> to Nepalese nationals going to foreign countries; (d) correspond with Tibet and China (through *jaisi kotha*) and England and India; (e) decide all border cases, boundary disputes and cases in connection with no man's land, and (f) maintain all records and foreign correspondence.

There was a close relationship between this office and the *muluki bandobast adda*. Its staff according to one source,<sup>109</sup> was appointed and maintained by the *muluki bandobast adda*. Moreover, it had to send all papers first to the C-in-C in *muluki bandobast* and then to the prime minister in *khadga nishana adda* for final approval and seal of both the *mukhtiyar* and the *maharaja*.<sup>110</sup>

It functioned through two organs: (a) *munshi khana*,<sup>111</sup> which dealt with general foreign affairs, policy determination, and relations with England and India. It dealt directly with the *mukhtiyar's* and the prime minister's offices; (b) *jaisi kotha*<sup>112</sup> which dealt with Tibetan affairs and China and translated all documents in this connection.<sup>113</sup>

The *munshi khana jaisi kotha sawal*, 1974 V.S. reveals that *jaisi kotha* did all correspondence with *Bhot* (Tibet) and China regarding boundary disputes<sup>114</sup> and with *Bhot* regarding trade disputes, cases, maps etc.<sup>115</sup> and sent all papers to the *mukhtiyar*

<sup>108</sup> Later on this function was transferred to *sadar jangi kotwali* at Kathmandu.

<sup>109</sup> Subba Gopal Das Vaidya of *kausi tosakhana*.

<sup>110</sup> *Munshi Khana Jaisi Kotha Thana Ka Nau Ma Khadga Nishana Sanad*, dated Shraavan 12, 1974 V.S., Section 23, *op. cit.*, tagged with document No. 169, MLR.

<sup>111</sup> *Munshi Khana Jaisi Kotha Sawal*, 1974 V.S., *op. cit.*, MLR. It mentions in Section 3 about a *hakim munshi* as head of *munshi khana*.

<sup>112</sup> Babu Ram Acharya explained to this author the origin of this office. He said: "*Jaisi Kotha* was first set up by Prithvinarayan Shah consisting of *gyotishis* (astrologers) who were auspicious persons with good handwriting. Later, it dealt with both Tibet and China, as well as British India and had language experts knowing Tibetan, Chinese and Persian. When British India switched over to English, then experts in English were appointed. Marichman was the first English knowing *kaji* to be appointed as executive head of this office."

<sup>113</sup> *Munshi Khana Jaisi Kotha Sawal*, 1974 V.S., *op. cit.*, Section I, MLR. It deals with *Jaisi Kotha*.

<sup>114</sup> *Ibid.*, Section 1.

<sup>115</sup> *Ibid.*, Section 2.



and the maharaja. It also decided cases of Mustang Raja.<sup>116</sup> It had a special subba called Bhot subba to deal only with Tibet.<sup>117</sup> The khadga nishana sanad of Asadh 32, 1974 V.S.,<sup>118</sup> sanctions, in section 5, a total sum of 1,291 Nepali rupees 19 paise and 2 dam for jaisi kotha staff and its miscellaneous expenses during that year.

The staff sanctioned through a khadga nishana sanad dated Shravan 12, 1974 V.S.<sup>119</sup> consisted of a total of 40 persons for the munshi khana and only ten for jaisi kotha. It sanctioned a total sum of 6,703 Nepali rupees and 22 paise to be drawn from kausi tosakhana<sup>120</sup> for the disbursement of pay to the staff.

(v) *Jangi Bandobast Adda* was meant to supervise the administration of the military offices, Chandra Shamsheer reorganized the adda<sup>121</sup> into 13 phants,<sup>122</sup> all under the administrative control of the jangi lat.<sup>123</sup>

The four broad categories into which the powers and functions of this office fell were: (1) military administration; (2) military equipments and arms, etc.; (3) baroodkhana; and (4) magazine.

The three broad departments which administered these functions were: (1) jangi adda, which administered the whole army; (2) jangi bandobast, which administered the organization, drill, discipline and equipment of the army. It could be described as a sort of military secretariat of the Ranas; and (3) militia goswara, which was territorial and administered the eastern and western hill districts in Gadahi, Gaunda and Goswaras and was responsible for appointments, dismissal, train-

<sup>116</sup>*Ibid.*, Section 1.

<sup>117</sup>Based on interview with Sardar Medani Rajbhandari, the bhot subba in jaisi kotha, who is presently director, Tibetan affairs, HMG Nepal in munshi khana.

<sup>118</sup>*Munshi Khana Jaisi Kotha Sawal*, 1974 V.S., *op. cit.*, Section 5. MLR.

<sup>119</sup>*Munshi Khana Jaisi Kotha Thana Ka Nau Ma Khadga Nishana Sanad*, 1974, V.S., *op. cit.*, MLR.

<sup>120</sup>*Ibid.*, see preamble.

<sup>121</sup>Major J. Manners Smith's letter and *Annual Report on Nepal for the Year 1904-1905*, *Foreign Secret E*, September 1905. Progs. No. 1, Para 2, NAI.

<sup>122</sup>Based on information given by Subba Krishna Prasad Gautam and Ganga Vikram Sijapati. Also see *Jangi Bandobast Khadga Nishana Sanad*, 1980 V.S., *op. cit.* and *Jangi Adda Jangi Bandobast Naya Sawal*, 1991 V.S., *op. cit.*

<sup>123</sup>*Ibid.*

ing, etc. of the militia in these districts.

The 12 sections into which the whole department was reorganized were:

- (1) *Jangi Bali Talab*, for payment of salary to the military and draw sanctioned amount from kausi tosakhana.
- (2) *Rikoot Khana*, which recruited army platoons.
- (3) *Barood Khana*, located at Simbhu, dealt with gunpowder.
- (4) *Top Khana*, which kept and maintained machineguns.
- (5) *Sil Khana*, storehouse for firearms.
- (6) *Taiyyari Aswab Khana*, which stored all sorts of readymade stock of military goods and equipment for the army, supplied by the arms factory.
- (7) *Military Anuvad Khana*. It was a translation department of the military to translate all books and laws on military administration.
- (8) *Gaththa Ghar* was a storehouse for rifles only.
- (9) *Survey Compass Ghar* supplied survey compass to military for training purposes, etc.
- (10) *Jangi Tahvil Phant* kept military records.
- (11) *Jangi Poshak Phant* worked with *Silkhana*, in keeping fit military dress, boots, etc.
- (12) *Jangi Hazari Goswara* maintained the attendance register of all military officers and men. Their pay was given to them accordingly.

Each of these 12 sections functioned on two sides, namely, (a) *bahi bujhaonoo*, that is, normal work of keeping ledgers, records and doing permanent job; (b) *tharo kaam*, that is, attending to emergencies and day to day work.<sup>124</sup> While the former had a subba as head, the latter had a colonel.

The jangi adda, jangi bandobast, khadga nishana sanad, 1991 V. S. authorized the jangi lat, General Mohan Shamsheer, to administer and control the jangi adda and the jangi bandobast, make all appointments with the approval of the C-in-C and the prime minister; arrange for the training of the army; and draw money not exceeding Rs 4,000 to be spent over the military secretariat, from the kausi tosakhana.<sup>125</sup>

<sup>124</sup>Based on interview with Ganga Vikram Sijapati, Subba Krishna Prasad Gautam and Brigadier Samar Raj.

<sup>125</sup>*Jangi Adda Jangi Bandobast Naya Sawal*, 1991 V.S., HMG Nepal. D. No. 629, M.L.R.

This sawal, as usual, in elaborate details gave instructions to the jangi lat regarding the use of his authority and powers and how he was to keep the prime minister informed of each of his actions and keep account of every rupee spent. It is no wonder that these instructions ran into 88 Sections of this sawal.<sup>126</sup>

For each of the following addas were appointed one Rana general. In the sawal they have been called "*tallukwalas*"<sup>127</sup> (officers-in-charge). These addas were:

(1) *The first category adda* concerned with: (a) training (military schools, survey class, machinegun class and artillery school); (b) funds (provident, monthly and medical); (c) translation.

(2) *The second category adda* concerned with: (a) military equipments; (b) cantonments; (c) border gaththaghar; (d) *kam-pookot*; (e) *posak khana*.

(3) *The third category adda* concerned with: Military weapons manufacturing centres, for example, Sundarijal magazine, Simbhu baroodkhana, nakhu magazine, pratari balaju, etc.

(4) *The fourth category adda* concerned with: The west militia goswara, including the districts of west No. 1, 2, 3 and 4.

(5) *The fifth category adda* concerned with: The east militia goswara, including districts of east No. 1, 2, 3 and 4.

We shall now refer to some of the important sections of this *Jangi Sawal*<sup>128</sup> in order to understand the constitution and the functions of the Rana military offices. Section 21 of the sawal gave authority to the tallukwala generals to impose fine on soldiers not exceeding Rs 25. However, jangi lat could fine Rs 50 and mukhtiyar Rs 100.

The jangi lat was authorized "to receive *Bintipatras* from the soldiers"<sup>129</sup> but with his tok chhap he was to forward them to the C-in-C and the prime minister. He was also to prepare jangi pajani kagaj<sup>130</sup> and forward it to the C-in-C and the prime minister.

<sup>126</sup>*Ibid.*, Sections 1 to 88.

<sup>127</sup>*Ibid.* The sawal mentions the names of the following generals who were appointed as *tallukwalas* for these five categories of addas. They were *Pukaja Babai Shamsher*, *Dakaja Keshar Shamsher*, General Prachand Shamsher, General Singh Shamsher and Lt. General Surya Shamsher.

<sup>128</sup>*Jangi Adda Jangi Bandobast Naya Sawal*, 1991 V.S., MLR.

<sup>129</sup>*Ibid.*, Section 26, sub-section 7.

<sup>130</sup>*Ibid.*, Section 26, sub-section 9.

ter with his comments. In all the state functions and national festivals like Ghoda Yatra, etc. and when Shri Teen Maharaja went on tours the army was to be employed only on the orders of the jangi lat.<sup>131</sup>

The army was to do civil jobs also, for example, look after the safety of *batopul* (roads and bridges),<sup>132</sup> help police on occasions like marriages, festivals, law and order, etc.<sup>133</sup> It is important to note here that during the Ranas there was no clear line of demarcation between the army and the police.

A sanad of Falgun 22, 1880 V. S., gave authority to the jangi lat to buy furniture worth Rs 100 to Rs 500 in a year for the military office. The sanad of 1891 V.S. raised the limit of two thousand rupees in a year (but only with double signature of tallukwala and jangi lat). Perhaps this was done to ensure economy and proper checks on spending.

As mentioned in an akhtiyari sanad to jangi lat Mohan Shamsher, the jangi lat had the authority “. . . to regulate the syllabus and working of the military schools and artillery and survey schools; arrange rifle training classes; arms manufacture in factories and magazine; buy arms and ammunitions; arrange translation and purchase of books on military administration; and arrange meetings of tallukwala generals once in three months for better administration and better coordination between different sections of the military office . . . .”<sup>134</sup>

From Chandra to Mohan, jangi bandobast functioned almost on the same lines divided into same sections and continued to be an important department of the Rana central administration, because during the whole period of the Rana regime as N.M. Buch and others observe, “law and order was maintained with the help of the army and the fear of the Ranas.”<sup>135</sup>

(vi) *Kumari Chowk* was the accounts and audit department.

<sup>131</sup>*Ibid.*, Section 26, sub-section 20.

<sup>132</sup>*Ibid.*, Section 15, sub-section 1.

<sup>133</sup>*Ibid.*, Section 14.

<sup>134</sup>See *Khadga Nishana Sanad*, dated Bhadra 14, 1891 V.S. *Akhtiyari to jangi lat Mohan Shamsher*, HMG Nepal, MLR.

<sup>135</sup>N.M. Buch and others, *Report of the Nepal Administrative Reorganisation Committee*, New Delhi, Government of India. Ministry of External Affairs, 1952, para 240, p. 95. Hereafter cited as *Buch Committee Report*.

and was first set up by Prithvinarayan Shah.<sup>136</sup> It continued to function as such till Chandra, who reorganised it into four separate departments<sup>137</sup> and introduced the post of *adektar* (auditor) in 1967 V. S.<sup>138</sup>

The British Resident in Nepal wrote in 1905: "The old *Kumari Chowk* office dealing with accounts of the whole kingdom has been divided into four separate departments dealing with: (a) *Tarai*; (b) hills; (c) the Nepal valley; and (d) arrears up to Samvat 1957 (1900-01 A.D.). The new system has now been working for two years and has proved satisfactory."<sup>139</sup>

Later, through a khadga nishana sanad, dated Paus 26, 1980 V. S.,<sup>140</sup> Chandra further reorganized this office. The three separate departments of tarai, pahad and upatyaka, were now reorganized into six new sections. The fourth department referred to in the British Resident's report of 1905 was dropped. Each department had now two sections as under:

(A) *Kumari Chowk Upatyaka/Nepal*: (i) Kumari Chowk Nepal pahilo phant; (ii) Kumari Chowk Nepal dusro phant.

(B) *Kumari Chowk Pahad*: (i) Kumari Chowk pahad pahilo phant; (ii) Kumari Chowk pahad dusro phant.

(C) *Kumari Chowk Madhes*: (i) Kumari Chowk madhes pahilo phant; (ii) Kumari Chowk madhes dusro phant.

<sup>136</sup>A story prevalent in the valley among the *Subbas*, connected with *Kumari Chowk*, explains the origin of this department. Prithvinarayan Shah of Gorkha with the king of Bhatgaon once went to Goddess *Kumari* in Kathmandu. There were three persons including Prithvinarayan Shah, standing before the Goddess. She gave a lotus flower to Prithvi out of three persons. Bhatgaon king told Prithvi "this is a blessing for you to become a king." And so happened. Prithvinarayan Shah first became king of Gorkha and then of Nepal. King Prithvi then decided to place at the feet of *Kumari* all income and expenditure of Nepal. So was set up *Kumari Chowk* as Nepal's accounts and audit (or income and expenditure) office located at Kathmandu at the *Kumari* temple. Then it shifted to *Dilli Bazar* in Kathmandu, where staff and sections increased. It still exists there with control exercised by A.G. office at Singha Darbar. Interview with Subba Dharam Bahadur Rahut of A.G. office was much useful in collecting materials for the study of this office.

<sup>137</sup>Major J. Manners Smith's letter, 21 July 1905, No. 1, para 2, NAI.

<sup>138</sup>*Adektar Ka Nau Ma Sawal*, 1967 V.S., HMG Nepal, D. No. 43, MLR.

<sup>139</sup>Major J. Manners Smith's letter, dated 21 July 1905, NAI.

<sup>140</sup>*Shri Kumari Chowk Naya Bandobast Sawal*, 1980 V.S., HMG Nepal, D. No. 263, MLR.

Thus, the total sections created were six for the better performance of the following duties<sup>141</sup> as mentioned in the Kumari Chowk naya bandobast sawal, 1980 V.S.: (1) auditing the account books of all government offices inside the valley and outside it; (2) point out irregularities in accounts and catch the culprit and report to the C-in-C and the prime minister; (3) get khadga nishana seal on all income and expenditure checked and passed; (4) keep all account books and old records in Kumari Chowk goswara tahvil (old records office); and (5) exercise control over all central and district treasuries.

It is important to note that each of the six sections were now assigned separate duties as under:

Nepal pahilo phant controlled and checked accounts of kausi tosakhana, muluki khana, telephone adda, etc.

Nepal dusro phant audited the revenues and other income of the valley.

Pahad pahilo phant audited the income of districts in the eastern hills.

Pahad dusro phant of districts in the western hills.

Madhes pahilo phant of districts in the eastern tarai and madhes dusro phant of districts in the western tarai.

The Kumari Chowk goswara tahvil<sup>142</sup> was set up to keep copies of all sanads, sawals and ains in connection with accounts and audit and all old records of the account books of the whole kingdom.

(vii) *Muluki Khana* was also known as *kosh bhandar*<sup>143</sup> (treasury), under a *khajanchi* (treasurer) who used to be a guru purohit, a man of wealth and social status. It received income in cash and kind and bullion from all government offices all over the kingdom<sup>144</sup>. *Muluki khana* was first set up by Jang Bahadur.<sup>145</sup>

Till the time of Juddha Shamsheer the administrative control

<sup>141</sup> *Ibid.*

<sup>142</sup> This author visited this *Goswara Tahvil* office at Kathmandu and found the old account books kept even today in much chaos and confusion. Still, he went through with great difficulty some of the important sanads and sawals to complete this study.

<sup>143</sup> *Sadar Mulki Khana Ko Sawal*, 1990 V.S., HMG Nepal, D.No. 552, MLR.

<sup>144</sup> *Ibid.*, see Sections 2 and 3.

<sup>145</sup> Hemraj's *Vamsavali*.

over this office was exercised by the C-in-C. Later, Juddha Shamsheer in 1933, through a sanad dated Baisakh 7, 1990 V.S., introduced the system of *teen sancho* (three keys) for the *muluki khana*. As mentioned in this sanad the three keys were to remain with each of the first three Rana brothers : the *maharaja*, the *mukhtiyar*; and the *jangi lat*.<sup>146</sup> The *hajuria* general was made officer-in-charge, safety and security of the *muluki khana*.<sup>147</sup>

Thus, a tighter grip over this office was possible through Judha's sanad. This sanad instructed the *khajanchi* of the *muluki khana* to work strictly according to government orders. It thus warned the *khajanchi* "for any loss to the government you will have to pay and compensate in full . . ."<sup>148</sup>

Some of the important sections of this sanad deserve detailed treatment to get a clear idea of the organization, powers and functions and staff of the *muluki khana*.

Section 7 provided for the receipt of ". . . *tora* (collected hard cash) from the district treasuries, by the *muluki khana*, only before a *sakshi* (witness) of *Kumari Chowk* . . ." and keeping of "a ledger detailing the amount and the names of the districts."

Section 8 stated: "the British Government's yearly grant of company rupees ten lacs to Nepal will be brought to and deposited in *Muluki Khana* through our *Delhi Vakil*,"<sup>149</sup> who must get a receipt of the amount within three days of deposit.

Section 10 instructed, "keep *Chalati Rakam* (money to be spent quickly) in *Ek Sancho Dukuti* and *Bechalati Rakam* (money not to be spent) in *Teen Sancho Dukuti*. Keep the key of *Ek Sancho Dukuti* with *Tahvil Ditha*."<sup>150</sup>

The *teen sancho dukuti* was meant for keeping the *chalati rakam* (cash) and *jinsi saaman* (kind). This ordinary *teen sancho dukuti* was to have three locks and three keys, namely, one with *hakim* (*khajanchi*), second with *tahvil ditha* and third with assistant *hakim* or *tahrir*.<sup>151</sup>

<sup>146</sup>*Sadar Muluki Khana Ko Sawal*, 1990 V.S., *op. cit.*, Section 30. Provision was also made regarding *Bhandar Khal Mool Dukhuti*, which was a special treasury having funds for national emergencies.

<sup>147</sup>*Ibid.*

<sup>148</sup>*Ibid.*, Section 1

<sup>149</sup>*Ibid.*, Section 8.

<sup>150</sup>*Ibid.*, Section 10.

<sup>151</sup>*Ibid.*, Section 10 (4).

It appears that since there was no banking arrangement the treasury was to keep money in leather bags, in almirahs and in underground cells.<sup>152</sup>

Section 10(9) warned: "If money is lost or stolen then it will have to be compensated by *Tahvil Ditha* in case of *Ek Sancho Dukuti* and all three in case of *teen sancho dukuti*. The generations preceding and following these officials will have to compensate the loss of money to the Government . . . ."<sup>153</sup>

This may be considered as a typical example of oriental traditional administration.

Section 11 determined the relationship between the *kausi tosakhana* and the *muluki khana* offices. It stated "*Kausi Tosakhana* is to disburse money, to be drawn from *Muluki Khana*. The two offices are to work in close co-operation, so that the government is put to no loss. Each authority letter, *Sanad*, *Purji*, order, must be checked thoroughly by the *Muluki Khana* before giving money to *Kausi Tosakhana*."<sup>154</sup>

After paying salary to the civil servants what remained in balance was called *harsanda rakam*<sup>155</sup> which all government offices were instructed to deposit in *muluki khana*.

Section 12 subordinated the *saraf khana* (exchange office) to *muluki khana*.

Section 30 provided for the safety of *bhandar khal mool dhukuti*. Its *teen sancho* were to remain with the prime minister, the C-in-C and the *jangi lat* and the safety and security of the building with the *hajuria general*.

It appears from the *sanad* that the *muluki khana* had the following staff: *hakim khajanchi*, *tahrir naib subba*, *kausi talabi jawan*, *assistant kharidar*, *tahvil ditha*, *tahvildar*, *bahidar*, *nausinda*, *sarafi* and *tahluwa*.<sup>156</sup> Expenditure for this office was sanctioned by the prime minister in the nature of an *ad hoc* yearly grant through *khadga nishana sanad*.

(viii) *Kausi Tosakhana*, first set up by Prithvinarayan Shah,<sup>157</sup>

<sup>152</sup>*Ibid.*, Section 10 (5).

<sup>153</sup>*Ibid.*, Section 10 (9).

<sup>154</sup>*Ibid.*, Section 11.

<sup>155</sup>*Ibid.* List of the staff is given at the end of this *sanad*.

<sup>156</sup>*Ibid.* This *sanad* sanctioned a total of Rs 3,989 and 35 paise as yearly grant for both pay and miscellaneous expenditure of the *muluki khana*.

<sup>157</sup>Interview with Subba Gopal Das Vaidya.



worked in close cooperation with the muluki khana, in disbursing salaries to the civil and military staff and sending cash money to Shri Teen Maharaja prime minister and Shri Panch Maharajadhiraj when so authorized through a sanad of the prime minister.<sup>158</sup>

“Kausi” as it was popularly known performed the following functions as mentioned in *kausi tosakhana ko khadga nishana sawal*, 1963 V.S. <sup>159</sup>:

- “(1) Advancing loans to various government offices and government servants, on letter of authority from the prime minister;
- (2) distributing pensions to civil and military staff;
- (3) distributing pay to civil and military staff;
- (4) disbursing money to temples for *puja* and other expenses;
- (5) send money in lump sum to the prime minister or other Ranas and the Palace, when authorized so by the prime minister;
- (6) provide *Sakshis* (witness) to whatever government office needed them;
- (7) provide money for distributing prizes etc. to students in schools and *pathshalas*;
- (8) provide money to all government offices for making purchases etc.;
- (9) look after *Gaddi Baithak* and meet its expenses; and
- (10) submit monthly and yearly account to Kumari Chowk.”<sup>160</sup>

According to a Nepali source,<sup>161</sup> *kausi* was divided into the following phants (sections):

- (a) *Ujrati phant*, to deal with loans and advances to various offices and government servants.
- (b) *Pension phant*, to give pensions to civil and military staff.
- (c) *Bali talab phant*, to disburse pay and allowances to civil and military staff.
- (d) *Puja phant*, to disburse money to temples for *puja*.
- (e) *Sakshi phant*, to provide witnesses.
- (f) *Darta phant*, for registration.
- (g) *Syaha phant*, for keeping report, ledgers, etc.

<sup>158</sup> *Kausi Tosakhana Ko Khadga Nishana Sawal*, 1963 V.S., HMG Nepal, D. No. 12, MLR.

<sup>159</sup> *Ibid.*

<sup>160</sup> *Ibid.*

<sup>161</sup> Interview with Subba Gopal Das Vaidya.

Kausi tosakhana was under the same khajanchi<sup>162</sup> who was head of muluki khana. Besides him there were subbas and other clerks in this office.

(ix) *Commandari kitab khana* was referred to for the appointment of every single government servant, whether at headquarters or in the districts. It was popularly called the *kitab khana* or *ka-ki*.<sup>163</sup> It was Jang Bahadur who first set up this office.<sup>164</sup>

The kitab khana worked through the muluki bandobast and both were under the C-in-C.

It maintained a huge register recording the names and emoluments of all civil and military staff and the date of their joining the duty.<sup>165</sup> No government employee could draw his salary unless given a clean certificate from this office. No one could be appointed to a post unless that post was declared vacant by this office and the man was issued a clean certificate.<sup>166</sup>

It appears from a khadga nishana sanad dated Sawan 10, 1773 V.S.<sup>167</sup> issued by Chandra Shamsheer that he created two sections in kitab khana under two hakims for its better functioning. They were: (i) *darshan phant*: Each newly appointed government servant had first to undergo the formality of having a formal *darshan* (audience) of both the Rana prime minister and the C-in-C, (ii) *darta phant*: After completing this darshan, he was sent to darta phant for registration of his name in the register.

The sawal of Aswin 30, 1773 V.S., entrusted this office with the most important job of preparing the pajani list of both the sides, namely, the civil and military and send one list each to the mukhtiyar in the muluki bandobast and to the jangi lat in the jangi bandobast.<sup>168</sup>

<sup>162</sup>*Ibid.*

<sup>163</sup>*Buch Committee Report, op. cit.*, para 16, pp. 8-9.

<sup>164</sup>Hemraj's *Vamshavali, op. cit.*

<sup>165</sup>*Commandari Kitab Khana Ko Sawal, 1773 V.S.*, Sunday 30, Aswin, HMG Nepal, D. No. 139, MLR.

<sup>166</sup>*Ibid.*, Section 27. Also *Buch Committee Report, op. cit.*, para 16, p. 9.

<sup>167</sup>*Commandari Kitab Khana Darshan Ka Darta Phant Ko Sawal, 1773 V.S.*, Sawan, Monday 10. Previously both sections were under one man. Chandra separated the two under two hakims. It also warned its hakims not to take bribes, D. No. 139, MLR.

<sup>168</sup>*Commandari Kitab Khana Ko Sawal, 1773 V.S.*, Aswin 30, Section 1, MLR.

When pajani was completed in all its five aspects relating to all the government personnel: *bharna* (appointment), *saruwa* (transfer), *badhuwa* (promotion), *khosuwā* (dismissal) and *thamauti* (confirmation), a fresh list was to be prepared by this office to get darshan and darta of the new government employees completed. This was to be done yearly.<sup>169</sup>

This sanad in its various sections prescribed how the three pajani lists were to be prepared for the three categories of high government officers: (a) the first list of C-in-C, guru purohit, bhattawal and bhai bhardar; (b) second list of high non-Rana officers from bada kaji to bada hakim; and (c) third list of the jangi pajani from jangi lat to lieutenant.<sup>170</sup> Section 28 of the sanad described pajani meant for high posts as *thuloo pajani*.<sup>171</sup>

The kitabi subba is mentioned as the administrative head of the kitab khana.<sup>172</sup> It was he who presented all pajani lists both to the mukhtiyar and the prime minister.

We may say that the kitab khana was an archaic and traditional department of personnel administration in Rana Nepal. It was severely attacked for causing much delay in administration and leading to too much centralization. It obstructed the free functioning of administration and had become a great centre of corruption.<sup>173</sup> And the darshan system was another evil as "even peons of various offices" as Regmi tells us, "were taken in person before the prime minister,"<sup>174</sup> for darshan-bhet.

(x) *Hazari Goswara* was first set up by Bir Shamsheer<sup>175</sup> to take attendance of all government servants working in various offices. It continued as such even after the end of the Rana system, which becomes clear from the Report of N.M. Buch in 1952:

<sup>169</sup>*Ibid.* Section 3. *Pajani* came once in every year and at different periods for different categories of government servants from the prime minister down to an ordinary constable.

<sup>170</sup>*Ibid.*, Sections 1-4.

<sup>171</sup>*Ibid.*, Section 28.

<sup>172</sup>*Ibid.*, Section 26. Details of the functions of the *Kitabi Subba* are mentioned in this section. The post was created by Chandra Shamsheer.

<sup>173</sup>*Buch Committee Report, op cit.* It reported about its inefficiency. See para 16, p. 9. Also based on interview with B.P. Khanal and L.P. Rimal who commented on these corrupt practices in this office during the Ranas.

<sup>174</sup>D.R. Regmi, *op. cit.*, p. 7.

<sup>175</sup>According to Babu Ram Acharya.

The Hazri Goswara is a unique institution. It is manned by a few clerks who go round the various offices and mark the attendance of persons. They also pay surprise visits. If an official happens to be away from his room, when the representative of the Hazri Goswara arrives, he could be marked absent, and would lose his pay for the day. If on the other hand, official's attendance is marked by the Hazri Goswara, his absence later in the day may not be noticed. Under this system, the departmental superiors feel no responsibility for ensuring attendance of a person serving under them; and the officials of the Hazri Goswara have considerable authority which might be abused.<sup>176</sup>

The hazari goswara and the kitab khana were the two most unique institutions of the Ranas so far as Rana administration was concerned. However, both told adversely on the administrative efficiency of the Ranas and both were great centres of corruption.

A khadga nishana sanad of 1981 V.S.<sup>177</sup> given by Chandra, draws our attention, as its detailed 61 sections give a clear idea of the organization and function of this office. The hazari goswara had two wings: (a) nizamati hazari goswara under the C-in-C, located in his house; (b) jangi hazari goswara under both the C-in-C and the jangi lat, located at Tundikhel for military staff below the rank of subedars.

According to the sanad, this office performed the following functions: (i) It marked attendance of all government servants in all government addas and noted the time, the hours and the days an employee has worked in a day and in a month respectively and reported to the C-in-C;<sup>178</sup> (ii) it prepared a lagat (estimate) of all government servants in each adda and phant in order to give a knowledge of all military and civil officers and staff to the C-in-C;<sup>179</sup> (iii) it inspected secretly all government offices, schools, magazines, etc., in order to check up on those who absented or came late to work and sent such inspection

<sup>176</sup>*Buch Committee Report, op. cit.*, para 16, p. 9.

<sup>177</sup>*Nizamati Hazari Goswara Sawal*, 1981 V.S., HMG Nepal, D. No. 288, MLR.

<sup>178</sup>*Ibid.*, Sections 2 and 3.

<sup>179</sup>*Ibid.*, Section 4 and 5.

reports to the government;<sup>180</sup> (iv) it noted down cases of berami and casual leave and *rakam vida* (leave with full pay) of all government servants and all leave taken during festivities and sent reports to the government. For each leave, new forms prescribed were to be used;<sup>181</sup> (v) it checked the staff, their number and attendance (that is, need in the departments) of Kumari Chowk;<sup>182</sup> (vi) for all government festivities it arranged goats, sheep and buffaloes, counted them and took their attendance;<sup>183</sup> (vii) it arranged *pass janch* (gate pass) for employees in various government offices;<sup>184</sup> (viii) it marked absent for a month all those government employees who absented themselves on Phoolpati day.<sup>185</sup>

Section 56 instructed this office to take sanction and authority for all work done from the C-in-C under whom this office functioned and also the prime minister.<sup>186</sup>

Hazari Goswara functioned on the side of the judiciary also, for marking attendance of the judge and the judicial staff.<sup>187</sup>

In short, hazari goswara may thus be described as a unique, archaic but important Rana personnel office concerned with the attendance and performance of all government employees.

(xi) *Director-General*. Chandra Shamsheer first introduced a director-general for educational work and progress in Nepal. He was called director-general of education, under whose authority was placed the education department of: (a) Sanskrit and Nepali; (b) English; and (c) technical sciences. Later, Juddha Shamsheer created three more posts of directors-general for hospitals, agriculture and cottage industries. Padma created the post of director-general of police. Thus, there were five director-general offices during 1901-51.

With very few exceptions, a director-general was a member

<sup>180</sup> *Ibid.*, Sections 6 to 29.

<sup>181</sup> *Ibid.*, Sections 30 to 31.

<sup>182</sup> *Ibid.*, Section 33.

<sup>183</sup> *Ibid.*, Section 42.

<sup>184</sup> *Ibid.*, Section 48.

<sup>185</sup> *Ibid.*, Section 52 gave instruction to the *Hazari Goswara* to mark one day's absence as one month's absence if a government servant absents on Phoolpati day which preceded Dassera festival in Kathmandu. Even today it is considered as an important day for parades etc. and salami.

<sup>186</sup> *Ibid.*, Section 56.

<sup>187</sup> *Ibid.*, Section 11.

of the Rana family and an officer in the army in the rank of general (sometimes colonel also).<sup>198</sup> They were paid according to their military ranks.<sup>199</sup>

It may be said that the directors-general were like modern ministers, determining and formulating the general policies of their departments, preparing plans for improvement and expansion and administering the execution of the plans. Moreover, their names are indicative of the CIVMIL character of the Rana administration. As military generals, they attended every day the parade at Tundikhel, and as directors, they attended the departments under their charge.<sup>190</sup>

(xii) *Shresta Offices* were set up by prime minister Chandra Shamsher and Juddha Shamsher. There were three shresta offices on the finance, revenue, audit and accounts side to check and deal with cases of corruption, embezzlements, government dues, etc.

Three such offices during the period under study deserve our attention. Under the control of the C-in-C, they were:

(a) *Shresta Kausal*. This office was set up in 1917 by Chandra Shamsher through a khadga nishana sanad, dated Paus 8, 1974 V.S.,<sup>191</sup> to serve as a *record (shresta) council (kausal)*. It was under the control of the C-in-C. It supplied records (reports, sawals and sanads) to muluki bandobast, engineer office, police superintendent office and other offices and to shresta addas in the districts.<sup>192</sup>

According to the shrest a kausal sawal, 1978 V.S. kausal was also to investigate those records as the C-in-C desired them to be investigated and then submitted its report to the C-in-C.<sup>194</sup> It also translated reports, sawals and sanads for use by shresta adda and other offices and departments.<sup>191</sup> It also framed rules for accountancy, revenue, etc.<sup>195</sup>

<sup>198</sup>Merril R. Goodall, "Administrative Change in Nepal," Ralph Braibanti (ed.), *Bureaucratic Systems Emergent from the British Imperial Tradition*, p. 611.

<sup>199</sup>*Ibid.*

<sup>190</sup>Interview with the former director of education, Sharda Prasad Upadhyaya, now secretary, *Yatayat*, HMG Nepal.

<sup>191</sup>*Shresta Kausal Sawal*, 1974 V.S. Also see another sanad in this connection *Shresta Kausal Sawal*, 1978 V.S. D. No. 242, MLR.

<sup>192</sup>*Ibid.* See the preamble of the *Shresta Kausal Sawal*, 1978 V.S., MLR.

<sup>193</sup>*Ibid.*, Section 13.

<sup>194</sup>Interview with Babu Ram Acharya.

<sup>195</sup>Interview with Subba Krishna Prasad Gautam.

(b) *Shresta Adalat*. This office was also set up by Chandra Shamsher to collect fines and rakams due with defaulting revenue officials and with the civil servants.<sup>196</sup> The fines were imposed by Kumari Chowk, on erring officials and revenue collectors. Shresta adalat was informed about the fines to be collected from such erring officials in the valley and the districts. It realized fines and government dues and worked in close cooperation with the Kumari Chowk.

There was only one shresta adalat at Kathmandu under the C-in-C. It worked under muluki bandobast adda, but almost as a separate office having a subba or a kharidar as hakim and four other clerks.

(c) *Shresta Appeal*. This office was set up by Juddha Shamsher to hear appeals and decide cases from six sections of the Kumari Chowk, regarding revenue matters and *jagga, kula, tiroo* and *bato* (land, river, ponds, etc.).<sup>197</sup> It was located at Kathmandu.

(xiii) *Gharkaj Adda*: It was opened by Bir Shamsher.<sup>198</sup> Chandra Shamsher reorganized it and placed it directly under the control of the prime minister.<sup>199</sup> Gharkaj was to deal with works relating to the prime minister's palace (Singha Darbar), the king's palace (Narayanhiti Darbar), the guest house and other important Rana palaces.<sup>200</sup> It was in fact the department of civil engineering under a Rana chief engineer,<sup>201</sup> who was also a brigadier colonel in the military. Since Chandra Shamsher's reorganization it functioned through many sections:

(1) *Lagath and check phant* (design and inspection); (2) *Nagdi phant* (accounts section); (3) *Mal godam* (stores section); (4) *Kath godam* (timber section); (5) *Banaune adda* (office in charge

<sup>196</sup>Interview with Subbas Parmeshwar Man and Krishna Prasad Gautam (law ministry), Dharma Bahadur Rahut (A.G. office).

<sup>197</sup>*Ibid.* Also see a *Khadga Nishana Sanad* 1999 V.S. dated Monday, Jeth 26, HMG Nepal, D.No. 903, MLR.

<sup>198</sup>Babu Ram Acharya told this author: "Bir created this *Adda* for construction of the palaces for his sons."

<sup>199</sup>*Singha Darbar Gharkaj Adda Sawal*, 1967 V.S., HMG Nepal, D. No. 52, MLR.

<sup>200</sup>*Ibid.* See Section 2 which orders for repair of Singha Darbar's *Lathipala*, Thapathaly Darbar and Thamel Darbar.

<sup>201</sup>Brig. Col. Kumar Narsingh Rana. See *Singha Darbar Gharkaj Adda Sawal*, 1967 V.S., *op. cit.*, Section 11, MLR.

of construction works).<sup>202</sup>

To these sections two more could be added. The one dealing with electricity and the other with furniture.

Gharkaj did the work of construction, repairs and maintenance of important buildings. This office could use the forced labour of prisoners for construction work.<sup>203</sup> Chandra had appointed his son, Mohan, the hajuria-general, as the overall incharge of gharkaj adda.

This office had a large staff.<sup>204</sup> As there was a lack of technical skill in Nepal during the Rana period this office had mostly non-technical personnel.<sup>205</sup>

The gharkaj adda sawal, 1967 V.S. lists the following technical and non-technical staff of this office:

(a) *Technical staff*: Chief engineer, engineer, overseer, *naike* (head mistri), *karigar* (skilled worker), *jyami jagire* (unskilled worker), *sikarmi* (carpenter) and *dakarmi* (mason).

(b) *Non-Technical staff*: Mukhiya hakim, banaune hakim, kharidar, karinda, writer and nausinda.

Some other departments or offices of the central administration of the Ranas set up for various small activities and such small purposes as the conduct of small Kathmandu telephone exchange, a municipality in the valley, zoo, museum, airport, radio station, upkeep of Rana palaces, construction of some 40 miles of roads in Kathmandu city, small government trading, electricity, water supply, Kathmandu fire service, local postal system, dairy, press, etc., mostly confined to Kathmandu city, the seat of Rana government, do not need detailed treatment. These offices were as under:

(1) *Municipal goswara*. It was first set up in 1975 V.S.<sup>206</sup> by Chandra Shamsher as a limited experiment in municipal

<sup>202</sup>Banaune Addas were later opened by Juddha in all important districts for construction of government quarters.

<sup>203</sup>Singha Darbar Gharkaj Adda Sawal, *op. cit.*, Section 7, MLR.

<sup>204</sup>Buch Committee Report, *op. cit.*, para 98, p. 35.

<sup>205</sup>See *Khadga Nishana Sanad*, dated Baisakh 7, 1969 V.S. which orders a kharidar Indra Prasad to be incharge of construction and estimate for area inside the Singha Darbar. Subedar Kanak Singh is made construction and estimate incharge of area outside the Singha Darbar. They were all non-technical hands.

<sup>206</sup>*Municipal Office Ko Sawal*, 1976 V.S., HMG Nepal, D. No.189, MLR.



government at Bhotahiti Tole in Kathmandu. The sanad sanctioned the following staff: hakim, kharidar, bichari, naib writer, nausinda, janchki and engineer. It was under the C-in-C.

(2) *Panchayat goswara*. It was first set up by Bhim Shamsheer in 1987 V.S.<sup>207</sup> to set up panchayats at nine places in Kathmandu valley. The sanad sanctioned posts of mukhya panch, sahayak panch and panch all nominated by the government. It was under the C-in-C.

(3) *Goswara tahvil*. It was set up in the old Basantpur Palace at Kathmandu. It functioned as a central records office and continues even today as such. Its executive head was a subba. The first sawal which regulated its organization and function was given in 1924 by Chandra Shamsheer.<sup>209</sup>

(4) *Moth tahvil*. It was set up in 1848, and was concerned with revenues,<sup>209</sup> specially revenues from birtawal, tahvil kept the records of documents of all birtawal. Previously there were many offices. In 1848 they were amalgamated into one moth tahvil.

(5) *Hulak goswara*. It was first set up by Chandra Shamsheer<sup>210</sup> to serve as a clearance house for all government papers and documents from the centre to districts and from office to office and from people to government. For each bintipatra one rupee hulak (stamp) was needed.<sup>211</sup>

(6) *Pani goswara*. It was first set up by Bir Shamsheer<sup>212</sup> for the supply of pani (water) in the valley through water taps in streets and houses. Its hakim was a kharidar. It had no engineer, but one overseer only. In 1906, Chandra Shamsheer regulated the working of this office, through pani goswara ko sawal, 1963 V.S.<sup>213</sup>

(7) *Bijuli goswara*. It was set up by Chandra Shamsheer in

<sup>207</sup>*Panchayat Sanad*, 1987 V.S., HMG Nepal, D.No. 411, MLR.

<sup>208</sup>*Goswara Tahvil. Naya Sawal*, 1981 V.S., HMG Nepal, D. No. 281, MLR.

<sup>209</sup>Satish Kumar, *op. cit.*, p. 105.

<sup>210</sup>*Udaipur Hulak Goswara Sawal*, 1968 V.S., HMG Nepal, D. No. 67, MLR.

<sup>211</sup>*Ibid.* Also see *Kathmandu Hulak Goswara Sawal*, 1974 V.S., HMG Nepal, D. No. 172, MLR.

<sup>212</sup>Interview with Babu Ram Acharya.

<sup>213</sup>*Pani Goswara Ko Sawal*, 1963 V.S., HMG Nepal, D. No. 11, MLR.

1911<sup>214</sup> to supply electricity in the Singha Darbar and, later, in Kathmandu city. It was later called Chandrabati bijuli goswara. The executive head was an engineer, who worked under the C-in-C.<sup>215</sup>

(8) *Goth goswara*. It was set up by Chandra Shamsher<sup>216</sup> to serve as a government dairy. It used to supply ghee to the prime minister and, later, to the king also. It also supplied milk.

Two khadga nishana sanads of 1981 V.S. and 1988 V.S.<sup>217</sup> laid down in much detail its functions and staff. It appears from these sanads that this goswara was to keep in the *goth* (dairy) one thousand cows. There were to be two goths, one for Shri Teen Maharaja and another for Shri Panch Maharajadhiraj. The staff was to consist of *naike* (keeper) and *gathala* (sweeper).

Shri Panch had five goths and Shri Teen had 17 goths. The head office was goth goswara to which all branch goths were responsible. Every six months goths were to be inspected. It was under the C-in-C.

(9) *Census goswara*. It was first set up in 1919 by Chandra Shamsher through public census sanad, 1976 V.S.<sup>218</sup> and later organized into a big census goswara in 1938, through another khadga nishana sanad, dated Kartik 21, 1995 V.S.<sup>219</sup> It was given by Juddha Shamsher for the purposes of what the sanad stated, "keeping record of men, women, cattles and places, lands etc."<sup>220</sup> It also regulated the relationship between the census and the registration offices.

The census goswara sawal, 1995 V.S. stated: "*Census Goswara and Registration Adda* will work in harmony with *Mal Adda* and

<sup>214</sup>*Chandrabati Bijuli Goswara Ko Sawal*, 1968 V.S., HMG Nepal, D. No. 66, MLR.

<sup>216</sup>*Chandrabati Bijuli Goswara Ko Niyam*, 1969 V.S., HMG Nepal, D. No. 82, MLR. This sanad gave the first by-laws for the functioning of the electricity department in Kathmandu.

<sup>218</sup>*Goth Goswara Ko Sawal*, 1981 V.S., HMG Nepal, D.No. 279, MLR.

<sup>217</sup>*Ibid*. Also see *Goth Goswara Naya Sawal*, 1988 V.S., HMG Nepal, D. No. 460, MLR.

<sup>218</sup>*Public Census Sanad*, 1976 V.S., HMG Nepal, D. No. 193, MLR.

<sup>219</sup>*Census Goswara Ko Nau Ma Sawal*, 1995 V.S., HMG Nepal, D. No. 811, MLR.

<sup>220</sup>*Ibid*. See the preamble of this sawal, 1995 V.S.

*Pota Adda*. Kathmandu Zilla Survey will help *Census Goswara*....  
Send census report to *Registration Adda*.<sup>221</sup>

All these four offices, as can be seen, were interrelated and were expected to work in close cooperation.

(10) *Pipa goswara*.<sup>222</sup> It was set up by Chandra Shamsher and placed under the direct control of the *hajuria-general*. It had an army of labourers and coolies who were on pay rolls and had special dress and could be used for any purpose such as army carriers, coolies for shikar etc.

(11) *Banaspati goswara*. It was set up during the later period of Rana rule by Padma Shamsher in 1945<sup>223</sup> for the limited purpose of improvement of *jari booti* (herbs, etc.) and later, as a botanical office at Kathmandu.

(12) *School goswara*.<sup>224</sup> It was set up to administer schools and was placed under the director-general of education.

(13) *Nepal hatisar goswara*. It was set up for the maintenance of elephants for the use of Shri Panch and Shri Teen. Chandra Shamsher gave the first sawal in 1924<sup>225</sup> for its organization and functioning.

(14) *Narayanhiti goswara*.<sup>226</sup> It was set up to look after the king's palace. It administered everything connected with the royal palace (Narayanhiti Darbar) and the king's comforts.

(15) *Adda janch*. It was directly under the C-in-C and was set up for inspection purposes. It inspected all government offices in the valley and sent its report to the C-in-C, who took action against erring officers accordingly. The first sawal was given by Chandra Shamsher in 1913 to regulate office inspection.<sup>227</sup>

(16) *Tirja Adda*. *Tirja* was a small paper of two inches size. This paper was issued by this office as an authority letter to government servants to receive their salary in kind (in land). *Tirja* authorized them to use the land and collect the revenue

<sup>221</sup>*Ibid*.

<sup>222</sup>Interview with Sharda Prasad Upadhyaya, Director, *Yatayat*, HMG Nepal.

<sup>223</sup>*Banaspati Goswara Sanad Sawal*, 2002 V.S., HMG Nepal, D.No. 957, MLR.

<sup>224</sup>Interview with Ganga Vikram Sijapati.

<sup>225</sup>*Nepal Hatisar Goswara Sawal*, 1981 V.S., HMG Nepal, D.No. 275, MLR.

<sup>226</sup>Interview with Ganga Vikram Sijapati.

<sup>227</sup>*Adda Janch Ko Sawal*, 1970 V.S., HMG Nepal, D. No. 98, MLR. Also see *Adda Janch Shresta Ko Sawal*, 1982 V.S., D. No. 304, MLR and *Adda Janch Shresta Naya Sawal*, 1983 V.S., D.No. 316, MLR.

from it for their use. The *tirja* was taken back from the government servant when he was removed from government employment. It was usually meant for military staff.

The first *khadga nishana sanad* regarding this *adda* was issued by Chandra Shamsheer in 1921.<sup>229</sup>

(17) *Chaprasi adda*.<sup>229</sup> It was a very old *adda*. During the pre-Rana period this *adda* provided guards for the royal palace. Then it was used as jail guard. During the Rana period, it was used for roads and building construction. This office drafted the services of prisoners.

(18) *Ticket adda*.<sup>230</sup> This *adda* printed stamps, registration papers, court papers and other important papers of the Ranas. Later, it was converted into Gorkhapatra Press. It was under the control of the director-general of education.

(19) *Chhemdel adda*.<sup>231</sup> This *adda* originated during the Malla kings for the maintenance and repair of houses. "Chhe" means house and "bhumdel" means store or office. It continued with the Ranas as a traditional administrative office for the repair and maintenance of the old palaces at Hanuman Dhoka in Kathmandu and palaces at Bhaktapur and Patan. It was placed under a Rana chief engineer by Chandra Shamsheer.

(20) *Bazar adda*. "For the customs, there are officials known as Bazar Hakims," writes Major J. Manners Smith.<sup>232</sup> The office which administered customs was called *bazar adda*. Later, Chandra Shamsheer opened Bazars<sup>233</sup> in tarai districts. This office managed both bazars and customs for tarai only during the whole Rana period.

(21) *Bhansar adda*. It was the same as the *bazar adda*. This office administered customs and markets in hills and the valley. It was set up by Chandra Shamsheer<sup>234</sup> to increase the revenue

<sup>228</sup>*Tirja Adda Ko Sawal*, 1978 V.S., HMG Nepal, D. No. 223, MLR.

<sup>229</sup>Babu Ram Acharya. Also see Satish Kumar, *op. cit.*, p. 105.

<sup>230</sup>Kamal Mani Acharya Dixit has written in *Nepali* an article on this *Adda*. He gave much valuable information on this *adda* to this author.

<sup>231</sup>*Chhemdel Adda Sawal*, 1987 V.S., HMG Nepal, D.No. 418, MLR. Also see *Kathmandu Chhemdel Adda Sawal*, 1991 V.S., D. No. 628, MLR.

<sup>232</sup>See Major J. Manners Smith's letter, *op. cit.*, NAI.

<sup>233</sup>For example, Chandra opened Chandranagar Bazar in Saptari district in the *tarai*.

<sup>234</sup>Interview with Ganga Vikram Sijapati.

of the state. Later, in 1934, Juddha Shamsher gave a sawal which reorganized this office.<sup>235</sup>

(22) *Taksal adda*. It was the government mint under the C-in-C. It had continued since the days of Prithvinarayan Shah. Bir and Chandra opened new sections and added more staff to this office. Juddha gave in 1932 a new sawal<sup>236</sup> on sadar taksal adda for its better functioning.

(23) *Tejarath adda*. First set up by Chandra Shamsher in 1916,<sup>237</sup> it dealt with government loans advanced to civil and military staff. Chandra further reorganized it in 1928.<sup>238</sup> In 1930<sup>239</sup> Bhim Shamsher further improved its functioning.

(24) *Gharelu adda*. It was set up by Juddha Shamsher in order "to promote cottage industries".<sup>240</sup>

(25) *Engineer adda*. It was set up by Chandra Shamsher in 1914<sup>241</sup> for buildings, roads and all construction works and was placed under the chief engineer who was under the direct control of the C-in-C.

(26) *Pass janch adda*. It served as a recruiting office in the army. The first sawal<sup>242</sup> to regulate the working of this office was given by Chandra Shamsher in 1919.

(27) *Telephone adda*. It was first set up by Chandra Shamsher in 1915<sup>243</sup> through telephone adda ko sawal, 1972 V.S., and then reorganized in 1928.<sup>244</sup> In 1934<sup>245</sup> Juddha again reorganized it. But the office could introduce the telephone system only in Kathmandu city and for limited use.

<sup>235</sup>*Bhansar Ko Naya Darbandi Naya Sawal*, 1991 V.S., HMG Nepal, D. No. 637, MLR.

<sup>236</sup>*Sadar Taksal Adda Ko Sawal*, 1989 V.S., HMG Nepal, D. No. 510, MLR.

<sup>237</sup>*Tejarath Adda Ko Sawal*, 1973 V.S., (HMG Nepal). D. No. 143, MLR.

<sup>238</sup>For details see *Tejarath Adda Ko Naya Sawal*, 1995 V.S., HMG Nepal, D. No. 365, MLR.

<sup>239</sup>*Tejarath Adda Ko Sawal*, 1987 V.S., HMG Nepal, D. No. 434, MLR.

<sup>240</sup>*Gharelu Adda Sanad*, 1996 V.S., HMG Nepal, D. No. 822. Also see *Gharelu Ilam Prachar Vibhag Sawal*, 1996 V.S., D. No. 829, MLR.

<sup>241</sup>*Engineer Adda Ko Sawal*, 1971 V.S., HMG Nepal, D. No. 114. Also see *engineer Adda Ko Sawal*, 1974 V.S., D. No. 175, MLR.

<sup>242</sup>*Pass Janch Adda Ko Sawal*, 1976 V.S., HMG Nepal, D. No. 192. Also *Pass Janch Adda Ko Sawal*, 1982 V.S., D. No. 303, MLR.

<sup>243</sup>*Telephone Adda Ko Sawal*, 1972 V.S., HMG Nepal, D. No. 127, MLR.

<sup>244</sup>*Telephone Adda Ko Sawal* 1985 V.S., HMG Nepal, D. No. 355, MLR.

<sup>245</sup>*Telephone Adda Ko Sawal*, 1991 V.S., HMG Nepal, D. No. 621, MLR.

(28) *Chidiyakhana adda*. The first *Sawal*<sup>246</sup> on Nepal zoo (chidiyakhana) was given by Juddha Shamsheer in 1935 when this office was set up to open and maintain a zoo at Jawalakhel in Kathmandu.

(29) *Batokaj adda*. In 1925 Chandra Shamsheer gave the first sawal on the roads department and set up a separate batokaj adda through batokaj adda sawal, 1982 V.S.<sup>247</sup> This office was meant to construct roads outside Kathmandu city. It worked with Samarganj Company,<sup>248</sup> which also constructed roads.

(30) *Raj bandhaki adda*. It was first set up in 1939 by Juddha Shamsheer to regulate advance of government loans to persons and business concerns through raj bandhaki ko sawal, 1996 V.S.<sup>249</sup>

(31) *Lagat adda*.<sup>250</sup> It was under the Kumari Chowk and the C-in-C. It maintained a list of goods and articles and checked their estimates, prices, etc.

(32) *Nagadi adda*.<sup>251</sup> The Rana prime minister's personal income from the sovereignty of Kaski and Lamjung and other khangi land was deposited in this office. The personal income of the Rana prime minister was deposited in cash (i.e., nagadi). Therefore this was an important office during the whole Rana period.

(33) *Registration and pota adda*. It was a registration and revenue office, first set up by Chandra Shamsheer in 1910.<sup>252</sup> *Pota* was a sort of tax collected on land. It was under the revenue office (*mal adda*). It also did registration of documents called *tamsuk* and *bakaspatra*.<sup>253</sup> Its executive head was a hakim subba.

(34) *Singha Darbar farmaisi adda*.<sup>254</sup> It was set up by Chandra Shamsheer to entertain foreign guests of the prime minister

<sup>246</sup>Jawalakhel Chidiyakhana Sawal, 1992 V.S., *op. cit.*, MLR.

<sup>247</sup>Batokaj Adda Sawal, 1982 V.S., HMG Nepal, D. No. 306, MLR.

<sup>248</sup>Samarganj Company Ko Sawal, 1998 V.S., HMG Nepal, D.No. 897, MLR.

<sup>249</sup>Raj Bandhaki Ko Sawal, 1996 V.S., HMG Nepal, D.No. 824, MLR.

<sup>250</sup>Interview with Subba Krishna Prasad Gautam.

<sup>251</sup>*Ibid.*

<sup>252</sup>Pota Adda Sawal, 1967 V.S., HMG Nepal, D.No. 42, MLR.

<sup>253</sup>Registration Adda Naya Sawal, 1985 V.S., HMG Nepal, D.No. 378, MLR.

<sup>254</sup>Interview with Subba Krishna Prasad Gautam.

and did all the furnishing of the guest house and looked after the comforts of the guests.

(35) *Singha Darbar jinsi adda*.<sup>255</sup> It was set up by Chandra Shamsher in 1921 to store articles, etc. and make their purchases from Calcutta and England for the Singha Darbar and the prime minister. It was directly under the hajuria-general, and a subba placed orders and did correspondence work.

(36) *Nepal sarkar hospital, ausadhalalya adda*.<sup>256</sup> It managed both hospitals and ayurvedic dispensaries and functioned under the director-general of public health. It was set up by Juddha Shamsher.

(37) *Juddha varun yantra adda*. It was set up by Juddha Shamsher in 1994 V.S.<sup>257</sup> as a fire service station. It was confined only to the Kathmandu city.

(38) *Nizamati bali talab adda*.<sup>258</sup> It distributed pay and allowances to all civil servants. It drew money on authority from kausi tosakhana.

(39) *Jangi bali talab adda*.<sup>259</sup> It distributed pay and allowances to all military staff. It also drew money from kausi tosakhana.

(40) *Jailkhana*.<sup>260</sup> It was under two officers called "arzbegi" and "jail ditha".<sup>261</sup> They were directly under the C-in-C. Jail ditha was in the rank of lieutenant or kharidar. The first jailkhana was set up in Kathmandu in 1941 V.S.

Arzbegi was in the rank of subba or captain. He executed the prime minister's order regarding (a) hanging and (b) exile of a prisoner. Every jailkhana had a cage-like building under the jail ditha, called "golghar" for the prisoners. Arzbegi and ditha also

<sup>255</sup>*Singha Darbar Jinsi Adda Sawal*, 1978 V.S., HMG Nepal, D. No. 236, MLR.

<sup>256</sup>Interview with Ganga Vikram Sijapati.

<sup>257</sup>*Juddha Varun Yantra Adda Tok Sadar Sanad*, 1994 V.S., HMG Nepal, D. No. 766, MLR.

<sup>258</sup>*Nizamati Bali Talab Adda Tok Sadar Sanad*, 2005 V.S., HMG Nepal, D. No. 1016, MLR.

<sup>259</sup>Interview with Subba Gopal Das Vaidya.

<sup>260</sup>Based on interview with Babu Ram Acharya and Ganga Vikram Sijapati. Also *Jailkhana Ko Sawal*, 1969 V.S., HMG, D. No. 84, MLR. This *Sawal* was given by Chandra Shamsher and is the first on jail administration. Later Bhim gave in 1931 *Jail Khana Pahilo Dusro Sawal*, 1988 V.S., D. No. 459, MLR.

<sup>261</sup>*Jailkhana Ko Sawal*, 1969 V.S., *Ibid.* See the preamble of this *Sawal*.

arranged a prisoner's release on the king's birthday, etc. and their use for road construction by the samarjang company (roads department).

Chandra Shamsher opened for the first time in 1911 jailkhana kaidi talim karkhana in order to provide training to the prisoners.<sup>262</sup>

(41) *Saraf khana*. Jang Bahadur first opened it<sup>263</sup> to exchange Nepali rupees with Company rupees. Later, Chandra Shamsher put it under muluki khana to perform the functions of an exchange counter.<sup>264</sup>

(42) *Faras khana*. It was set up by Chandra Shamsher in 1905 as a storehouse for beddings, tents, chairs, flags, dress, etc. needed during shikar and shooting excursions.<sup>265</sup> It was under the jangi lat. Later, it stored all articles needed during royal or Rana marriages. The hakim was a subba.

(43) *Dafdar khana*.<sup>266</sup> This office was set up even before the Ranas, to keep record of such lands as were assigned to government servants in lieu of monthly salary. Later, during the Rana period it worked with the *tirja adda*.<sup>267</sup>

(44) *Aswab khana*.<sup>268</sup> This office was set up by Chandra Shamsher for storing military equipment and was located in the Singha Darbar. The administrative control over this office was exercised by jangi bandobast adda.

(45) *Top khana*. It was started by Jang Bahadur<sup>269</sup> as a separate department dealing with and keeping guns. Later, Chandra Shamsher made it a section (phant) of the jangi bandobast under jangi lat.<sup>270</sup> But it was an important office during the whole Rana period.

<sup>262</sup>*Jailkhana Kaidi Talim Karkhana Khadga Nishana Sanad*, 1968 V.S., HMG Nepal, D. No. 69, MLR.

<sup>263</sup>*Vamashavali*, *op. cit.*

<sup>264</sup>*Saraf Khana Ko Sawal*, 1978 V.S., HMG Nepal, D. No. 219, MLR.

<sup>265</sup>*Faras Khana Ko Sawal*, 1962 V.S. HMG Nepal, D. No. 8, MLR. Also see *Basantpur Faras Khana Ko Sawal*, 1981 V. S., *Basantpur Goswara Tahvil Record*, Kathmandu (BGTR).

<sup>266</sup>Interview with Subba Gopal Das Vaidya.

<sup>267</sup>*Tirja Adda Ko Sawal*, 1978 V.S., HMG Nepal, D. No. 223, MLR.

<sup>268</sup>Interview with Subba Krishna Prasad Gautam.

<sup>269</sup>*Vamshavali*, *op. cit.*

<sup>270</sup>*Jangi Bandobast Khadga Nishana Sanad*, Falgun 22, 1980 V.S., HMG Nepal, D. No 259, MLR.



(46) *Udyog parishad*.<sup>271</sup> It was set up by Juddha Shamsher to promote industrial development in Nepal and regulate setting up of new industrial concerns.

(47) *Krishi parishad*. To promote agriculture, this office was set up by Juddha Shamsher first in 1932 through an agriculture sanad, 1989 V.S.<sup>272</sup> and later reorganized into a council in 1937 through *krishi parishad sawal*, 1994 V.S.<sup>273</sup>

(48) *Shri Teen Mohan Akashvani*. The wireless station in Nepal was set up in 1948 by Mohan Shamsher through *Shri Teen Mohan akashvani sanad*, 2005 V.S.<sup>274</sup>

(49) *Shri Teen Mohan hawai adda vibhag*. The first attempt to have an airport at Gauchar was made in 1950 and Mohan Shamsher gave the first sanad on airport office.<sup>275</sup>

(50) *Nepal bureau of commercial intelligence and statistics*. It was set up by Juddha Shamsher to promote trade and commerce in Nepal and collect statistics.<sup>276</sup>

(51) *Nepal Trading Corporation*. Juddha Shamsher gave the first sanad<sup>277</sup> to set up the Nepal Trading Corporation in Kathmandu in 1932 in order to promote government trading in Nepal.

(52) *Nepal bureau of mines*. Chandra Shamsher first tried to explore the mineral resources in Nepal and gave a khani sanad in 1907.<sup>278</sup> But it was Juddha Shamsher who later gave a comprehensive Nepal bureau of mines sawal in 1941<sup>279</sup> and set up at Kathmandu this bureau to investigate and survey mineral resources in Nepal on a comprehensive scale.

(53) *Nepal museum*. It was first set up by Juddha Shamsher in

<sup>271</sup>Interview with Ganga Vikram Sijapati. Also see *Shri Vanijya Vardhak Udyog Pari Samsthan Sawal*, 1991 V.S., HMG Nepal, D. No. 634, MLR.

<sup>272</sup>*Agriculture Sanad*, 1989 V.S., HMG Nepal, D. No. 519, MLR.

<sup>273</sup>*Krishi Parishad Sawal*, 1994 V.S., HMG Nepal, D. No. 758, MLR.

<sup>274</sup>*Shri Teen Mohan Akashvani Sawal*, 2005 V.S., HMG Nepal, D. No. 1021, MLR.

<sup>275</sup>*Shri Teen Mohan Hawaii Adda Vibhag Sawal*, 2007 V.S., HMG Nepal, D. No. 1065, MLR.

<sup>276</sup>Interview with Ganga Vikram Sijapati.

<sup>277</sup>*Nepal Trading Corporation Sawal*, 1989 V.S., HMG Nepal, D. No. 525, MLR.

<sup>278</sup>*Khani Sanad*, 1964 V.S., HMG Nepal, D. No. 21, MLR.

<sup>279</sup>*Nepal Bureau of Mines Sawal*, 1998 V.S., HMG Nepal, D. No. 891, MLR.

1932 through Nepal museum ko sawal, 1989 V.S.<sup>280</sup> Later, in 1941, through Nepal museum ko sawal, 1989 V.S.,<sup>281</sup> Juddha reorganized this museum and added a separate wing to exhibit his collections.

(54) *Illaychi kothi*. This office was located near Jalan's fort in Patna city on the bank of the Ganga. It imported *illaychi* (cardamoms) from Nepal to Patna during the Rana period. It also functioned as a Nepalese consulate office at Patna. It dealt with the East India Company at Patna and kept liaison between Kathmandu, Patna and Calcutta. It was opened by Bhim Sen Thapa<sup>282</sup> and continued as such throughout the Rana period.

(55) *Kadel chowk*. The first khadga nishana sanad, dated Shravan 14, 1976 V.S.,<sup>283</sup> given by Chandra Shamsher, describes the chowk as an adda concerned with the making of ornaments, utensils of gold and silver, *chand tora*, *shirpench*, *kalangi*, etc. for the use of the king, the Rana prime minister, the Rana family, and all the high officers of the state.<sup>284</sup> As mentioned in the kadel chowk sanad, 1976 V.S. this office worked under the strict control and supervision of three offices, namely, kausi tosakhana, muluki khana and Singha Darbar jinsi adda, for the said purposes.<sup>285</sup> Its executive head was a subba. The sawal asked the subba to keep record of all gold and silver coming to and going out of Nepal and to have the account book checked by the Kumari Chowk every month. Erring officials were to be dismissed and arrested.<sup>286</sup>

(56) *Tabela dalan*.<sup>287</sup> It was a courtyard for keeping horses, etc. for the use of the king and the prime minister. It was located near

<sup>280</sup>*Nepal Museum Ko Sawal*, 1989 V.S., HMG Nepal, D. No. 491, MLR.

<sup>281</sup>*Nepal Museum Ko Sawal*, 1998 V.S., HMG Nepal, D. No. 864, MLR.

<sup>282</sup>Satish Kumar, *op. cit.*, p. 105.

<sup>283</sup>*Kadel Chowk Adda Ko Sawal*, 1976 V.S., HMG Nepal, D. No. 191, MLR.

<sup>284</sup>*Ibid.*, See Preamble of the *Sawal*.

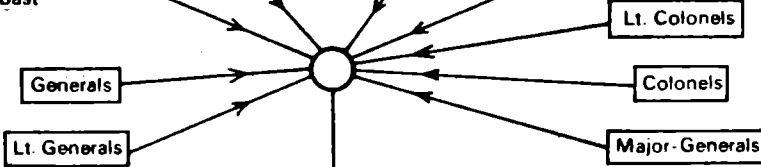
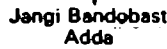
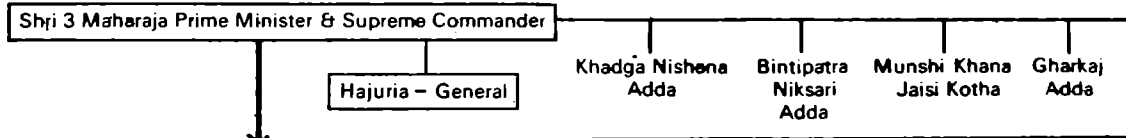
<sup>285</sup>*Ibid.*

<sup>286</sup>*Ibid.*

<sup>287</sup>Satish Kumar writes: "It was a special court created by Commander-in-Chief, Bam Bahadur, in 1850 to investigate and report cases of corruption by officers" and he quotes the authority of Hemraj's *Vamshavali*. See Satish Kumar, *op. cit.*, p. 105.

But this author's visit to *Tabela Dalan*, at Kathmandu proves this office to be a courtyard for keeping horses and on interview with the old *Subbas* and Rana Generals it was further confirmed to be so.

## CENTRAL ADMINISTRATION UNDER THE RANAS 1901-1951



### MISCELLANEOUS ADMINISTRATIVE DEPARTMENTS

Goth Goswara, Moth Tahvil, Hulak Goswara, Pani Goswara, Census Goswara, Pipa Goswara, Banaspati Goswara, School Goswara, Nepal Hatisar Goswara, Narayanhiti Goswara, Chaprasi Adda, Ticket Adda, Chhemdel Adda, Bazar Adda, Bhansar Adda, Tejarath Adda, Gharelu Adda, Engineer Adda, Pass Janch Adda, Telephone Adda, Chidiyakhana Adda, Batokaj Adda, Raj Bandhaki Adda, Lagat Adda, Registration and Pota Adda, Singha Darbar Farmasi Adda, Singha Darbar Jinsi Adda, Hospital Ausadhalaya Adda, Juddha Varun Yantra Adda, Nizamati Bali Talab Adda, Jangi Bali Talab Adda, Saraf Khana, Faras Khana, Dafadar Khana, Aswab Khana, Top Khana, Udyog Parishad, Krihi Parishad, Shri 3 Mohan Akashvani, Shri 3 Mohan Hawar Adda Vibhag, Nepal Bureau of Mines, Nepal Bureau of Commercial Intelligence and Statistics, Nepal Trading Corporation, Nepal Museum, Illayachi Kothi, Tabela Dalan and Samarjang Company.

the hatisar goswara, where elephants were kept.

(57) *Samarjang company*.<sup>288</sup> It was opened during Ran Bahadur's time. They guarded the palace. They formed a company, having a distinguished *chaprās* and were called samarjang company. Bhim Sen Thapa transferred them as guards (from the palace to the jail. The men of this company were famous for their loyalty and sense of duty and it is said that they did not allow even Bhim Sen's men to enter the palace. Later, Chandra ordered them to construct roads with the help of prisoners. If prisoners were not sufficient to do a particular work then they could take help of hired labourers. In 1941<sup>289</sup> Juddha Shamsheer reorganized it through a sawal to make it a central roads construction department (like the PWD in India).

For a better and clearer understanding of the organizational structure of the central administration under the Ranas, the chart given on page 69 will be useful.

#### DAUDAHA AND CENTRE-DISTRICT RELATIONS, 1901-51

Chandra Shamsheer reorganized the system of daudaha in 1903.<sup>290</sup> Daudaha was a unique Rana administrative institution to govern centre-district relations. It may be described as an *ad hoc* judicial commission and an inspection team, despatched from headquarters to the outlying districts, to remove people's grievances against administration, quell any disturbances, dispose of pending cases, inspect and tighten military, police, judicial, customs, revenue and general administration. The daudaha sawals of the period reveal that usually a Rana general headed the daudaha.<sup>291</sup> Each such daudaha was appointed through a sanad of the prime minister, which allocated *ad hoc* grants of money and staff for the purpose and also included detailed instructions and authority. The daudaha was under the administrative control of the C-in-C and the muluki bandobast adda.<sup>292</sup>

<sup>288</sup>*Samarjang Company Sawal*, 1998 V.S., HMG Nepal, D. No. 897, MLR. Also interview with Babu Ram Acharya.

<sup>289</sup>*Ibid.*

<sup>290</sup>*Purva Pachhim Daudaha Sanad Sawal*, 1961 V.S., HMG Nepal, D. No. 5, MLR.

<sup>291</sup>*Ibid.* See the Preamble.

<sup>292</sup>*Ibid.*

Usually a daudaha stayed for a month in the district,<sup>293</sup> did all inspection work, gave clearance certificates to various government offices, prescribed punishments for erring staff and submitted at the end a report called janch report<sup>294</sup> to the central government in the muluki bandobast adda. Appeals against the pending cases decided by the daudaha were received only by the highest court (High Court) at Kathmandu.

Juddha sent more daudahas to the tarai districts than to pahad districts. The reason for this was that the tarai yielded more revenue and there were more cases of embezzlement and corruption in that region. As the constitution of the daudaha was *ad hoc*, the staff could be drawn from anywhere. They got travel and daily allowances, besides their usual pay.<sup>295</sup> The pay and allowances used to be very meagre all through the Rana period.

The system of daudaha thus provided the central government the means and opportunity to exercise its authority and control over the district administration and keep liaison between the centre and the districts and between the centre and the people outside Kathmandu. It may be said that the daudaha system gained importance due to the almost complete absence of communications between the headquarters and the outlying districts during the Rana period.

To sum up, we may say: first, a complex of about 15 major and 57 other minor departments which emerged during the period shows that the creation of departments depended upon the whim of one man—the Rana prime minister. Naturally, these departments grew haphazardly and were unscientific in their nature and composition. They also overlapped in their powers and functions and hence must have created many confusions in the Rana central administration.

Secondly, as their names show, many of them were copies of some

<sup>293</sup>*Purva Pachhim Daudaha Sanad Sawal*, 1995 V.S., HMG Nepal, D. No. 798, MLR. Juddha Shamsher appointed Baber Shamsher, the eastern commanding general to head a *Daudaha* to the eastern and western districts. This *Sanad Sawal* ordered *Gorkhapatra Press* to print *Mudda* (cases) form, certificates and order sheets to be used by *Daudaha*. It commanded the *Daudaha* to 'remain in one district for one month and inspect all Addas.' (Section 1).

<sup>294</sup>*Ibid.*, Section 5.

<sup>295</sup>*Ibid.* While the two Rana Generals (Bishnu Vikram and Khagendra Vikram) who accompanied this *Daudaha* received Rs 3/50 a day, *Kharidar* received 75 paise and *Bichari* 25 paise only. Others received only 16 paise per day.

of the departments during the Mughal period<sup>296</sup> and some of them during the British period<sup>297</sup> in India. A few of them were also the legacy of the pre-Rana administration.<sup>298</sup>

Thirdly, the centralness of Kathmandu in the politics and administration seems to have continued during the whole Rana period. Very few services were given away to non-Ranas and still fewer to non-Kathmanduans.

Fourthly, the Rana administrative system, with regard to the general structure of the central administration and nature of these departments from 1901 to 1951, remained almost the same—a traditional pattern of administration, too centralized and too personalized to serve the interest of one man (*Shri Teen Maharaja Prime Minister*) and one family (the Ranas). Moreover, it was designed to promote, what Michael Curtis would call “the concerns of government”<sup>299</sup> in a “police state” which include defence, revenue collection, and law and order, much the same as the Mughal rule in India or the Shogunate rule in Japan.

Fifthly, the Rana administration was CIVMIL in nature and could be described as an extension of the Rana military hierarchy into civil administration.

Sixthly, the Rana oligarchy constituted by far the most important and the most visible administrative entity in Rana Nepal.

Finally, the Rana prime minister, being the repository of all powers, had set himself up almost as a parallel king. He could also be compared with the Peshwas in India. The king was reduced to a non-functioning puppet, similar to Mikado, during the Shogunate regime in Japan. However, the system was pregnant with an inherent

<sup>296</sup>Mughals had also similar offices and terms in administration like *Daftar* or *Dafadar Khana* (record 'room), *Tosakhana* (king's wardrobe), *Tahvil* (cash balances), *Siaha* (ledger), *Panja* (palm print of the ruler), *Sanad* (executive-cum-legislative document), *Ain* (legal code), *Sawal* (administrative code), *Mukhtiyar* (prime minister or chief executive officer), *Munshi Khana*, *Khartita*, etc.

<sup>297</sup>Posts on the military side, for example, C-in-C and Director-Generals, etc. and the police side, SP, DSP, Inspector, etc. and, above all, the post of prime minister.

<sup>298</sup>*Kumari Chowk*, *Chhemdel Adda*, etc.

<sup>299</sup>For a plain conceptual analysis and institutional approach see Michael Curtis, *Comparative Government and Politics*, New York, 1968, p. 232.

weaknesses—the possibility of conflict between the hereditary offices of prime minister and king. Actually, the conflict came to a head during the time of prime minister Mohan Shamsheer and King Tribhuvan which led to the 1950-51 revolution and the end of the Ranas.

### Chapter III

## District Administration under the Ranas (1901-51)<sup>1</sup>

The concept of district administration under the Ranas during 1901-51 signified, both from areal and administrative stand-points; the traditional provincial pattern of field organization. The pivot of the provincial pattern had been revenue, the police and a small judicial set-up with some marginal activities like irrigation, roads, etc. which the provincial governors (district heads), called bada hakims,<sup>2</sup> normally administered, not for the welfare of the people but for the benefit of the Ranas. The three main organs of district administration were the: (i) revenue under mal adda; (ii) police under thana; and (iii) judiciary under amini in the tarai and adalat in the pahad. These were integrated into a well-knit administrative pattern through the office of the bada hakims with his headquarters at goswaras or gaundas or garhis.<sup>3</sup>

<sup>1</sup>This account is based on material and data provided by (i) Babu Ram Acharya, Ganga Vikram Sijapati, Subba Krishna Prasad Gautam, Chittaranjan Nepali and Bishnu Prasad Khanal; (ii) an examination of 1082 *Khadga Nishana Sanads* and *Sawals* in original in the custody of the ministry of law, HMG Nepal, (iii) Basantpur *Goswara Tahvil* Records, Kathmandu; (iv) Dilli Bazar Kumari Chowk Records, Kathmandu; (v) Bhaktapur Mal Records, Bhaktapur, and (vi) Archival Records, Foreign Department (secret), Government of India, NAI.

<sup>2</sup>After the Gurkha (or Shah) conquest and unification of Nepal, *Subba* or *Soubahs* were appointed in place of the former *Rajas* in the conquered states. See Francis Hamilton, *An Account of the Kingdom of Nepal*, Edinburgh, 1819, pp. 104-5. Also see Chapter I. Later, Bhim Sen Thapa appointed *Zilla Mukhtiyars* as district heads. During the Rana period, it appears that first *Hakims* and then, during Bir Shamsheer, *Bada Hakims* were appointed as district governors.

<sup>3</sup>*Goswara* was the district office in the *Tarai* (or Lowlands), *Gaunda* was in



A significant feature of the Rana district administration has been that the tarai, the pahad and the valley, which comprise the state of Nepal, slightly differed in their administration from the areal standpoint.

#### CHANGES IN DISTRICT ADMINISTRATION

Historically, after Bir Shamsber (1885-1901), important changes in district administration were brought about by Chandra Shamsber and Juddha Shamsber.

In the field of district revenue administration, Chandra Shamsber gave the first revenue regulation, Gorkha mal ko sawal, in 1959 V.S.<sup>4</sup> It was this sawal which actually laid the foundation of revenue administration of the hill districts. Chandra abolished the amali system in the districts and opened new revenue offices under mal subbas in the tarai districts to improve the collection of land revenue. Mal subbas functioned under the control of bada hakims.

The first sawal for the general administration of the hill districts, known as pahad bandobast sawal<sup>5</sup> was also given by Chandra in 1964 V.S. But his most important reform in district administration may be said to be the introduction of the regular police and CID, for law and order in the tarai districts. In 1914 he gave the first police sawal<sup>6</sup> to the tarai districts of Birganj and Khajhani. We shall discuss them in necessary details in the following pages.

Chandra also opened hulak goswaras<sup>7</sup> (postal offices) in the districts of tarai and the hills; telephone adda<sup>8</sup> in the tarai districts; bazar adda and bazar hakims<sup>9</sup> for custom collection in the tarai districts, khatmahal hakims<sup>10</sup> for sale of timber in the tarai and banjanach goswara<sup>11</sup> under a hakim ranger for forest administration in the districts.

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the *Pahad* (or highlands), and *Garhi* was in the *Bhitri Madhes* (or inner hills) districts of Nepal.

<sup>4</sup>*Gorkha Mal Ko Sawal*, 1959 V.S., HMG Nepal, D.No. 1, MLR.

<sup>5</sup>*Pahad Bandobast Sawal*, 1964 V.S., HMG Nepal, D.No. 18, MLR.

<sup>6</sup>*Birganj and Khajhani Zilla Police Sawal*, 1971 V.S., *op. cit.*, MLR.

<sup>7</sup>*Udaipur Hulak Sawal*, 1968 V.S., HMG Nepal, D.No. 67, MLR.

<sup>8</sup>*Telephone Adda Sawal*, 1972 V.S., HMG Nepal, D.No. 127, MLR.

<sup>9</sup>Letter from the British Resident in Nepal, 21 July 1905, *Foreign Secret E*, September 1905, Progs. No. 108, para 3, NAI.

<sup>10</sup>*Ibid.*

<sup>11</sup>*Ibid.*

Chandra introduced the system of brigadier-general for the districts of Bhaktapur and Lalitpur in the valley. He also set up the sadar jangi kotwali and the thana under the hajuria-general for the administration of Kathmandu, the capital city, and the valley.

He introduced in the district administration the two systems of office inspection through adda janch,<sup>12</sup> and regular inspection of monthly reports through maskewari janch<sup>13</sup>. Moreover, the system of periodic tours through daudaha<sup>13</sup> was regularized and tightened.

After Chandra, it was Juddha who introduced some important changes in the district administration.

The tarai districts were reorganized into eight goswaras. Jhapa was made for the first time a chhoti goswara.<sup>15</sup> The executive was separated from the judiciary at the district level by introducing new apil addas. Amini in the tarai districts had till now a hakim called laftan. He was replaced by a subba. Additional and independent staff was given to amini. This staff included bichari, bahidar, nausinda and sipahi. Through these reforms Juddha raised the status and powers of the district judiciary.

The district police was put on a better footing and more thanas and chowkis were set up. The postal system was extended to the hill districts in the east and the west.<sup>16</sup> New sawals<sup>17</sup> were given to the other pahad and tarai<sup>18</sup> districts for better administration and for the facilities of setting up new industries and factories in the tarai (specially at Birganj and Biratnagar near the Indian frontier).

District administration, specially in the tarai was much strained during Padma Shamsher who succeeded Juddha. It was due to ominous developments both inside and outside Nepal, threatening the Rana regime. Gaon panchayats and zilla panchayats were to be introduced by Padma under the 1948 Constitution. But he was forced to resign in April 1948.

<sup>12</sup>*Adda Janch Ko Sawal*, 1970 V.S., *op. cit.*, MLR.

<sup>13</sup>*Maskewari Janch Ko Sawal*, 1970 V.S., *op. cit.*, MLR.

<sup>14</sup>*Purva Pachhim Daudaha Sawal*, 1995 V.S., *op. cit.*, MLR

<sup>15</sup>*Jhapa Chhoti Goswara Sawal*, 1996 V.S., HMG Nepal, D. No. 823, MLR.

<sup>16</sup>*Purva Hulak Goswara Darbandi Sawal*, 1990 V.S., *Pachhim Hulak Goswara Darbandi Sawal*, 1990 V.S., HMG Nepal, D. Nos. 599 and 600 respectively, MLR.

<sup>17</sup>See *Pahad Goswara Naya Sawal*, 1991 V.S., HMG Nepal, D.No. 609, MLR.

<sup>18</sup>See *Madhes Goswara Ko Sawal*, 1991 V.S., HMG Nepal, D.No. 605, MLR.

Mohan Shamsheer, who succeeded Padma Shamsheer, was against all changes and so the pattern of district administration continued much the same till the 1950-51 revolution.

Before discussing the pattern of district administration in Nepal, we need to refer briefly to the types of districts during 1901-51.

#### TYPES OF DISTRICTS

For administrative purposes Nepal was divided into (a) the highlands called pahad; (b) the valley with the three cities of Kathmandu, Bhaktapur and Lalitpur, called "Nepal" or "Khas Nepal" during the whole Rana period and was later called "Upatyaka"; and (c) the lowlands called "tarai or madhes."<sup>19</sup> The district administration in these three areas was not exactly identical.

The big districts in the tarai were popularly known as goswaras (as their district offices were located in goswaras). The small districts in the tarai were popularly called chhoti goswaras.

In the pahad, according to the two militia goswara sawals of 1990 V.S., there were two militia goswaras, one for the west<sup>20</sup> and the other for the East.<sup>21</sup> Each had four districts (west no. 1,2,3 and 4 districts; and east no. 1,2,3 and 4 districts). These eight districts till 1984-85 V.S. existed as "military sub-stations—*Jangi Pareths*"<sup>22</sup> (as they imparted military training to local people—the local militia). When they were raised to goswara status during 1984-85 V.S., the west militia goswara was put under the western commanding general and the east militia goswara under the eastern commanding general, and the two under the the C-in-C. During the Rana period, all these eight districts were actually districts of military recruitment and hence they had added military importance.

However, it appears from various reports and records of the period that more importance was attached to the three big military districts<sup>23</sup> of the Ranas, namely, one in the east called Dhankuta gaunda, one in the centre called Palpa gaunda and one in the west

<sup>19</sup>See *Muluki Adda Sambandhi Bant Phant Ko Sawal*, 1980 V.S., *op cit.* MLR. In it the above three administrative divisions for the purposes of district administration are mentioned.

<sup>20</sup>*West Militia Goswara Sawal*, 1990 V.S., HMG Nepal, D. No. 564, MLR.

<sup>21</sup>*East Militia Goswara Sawal*, 1990 V.S., HMG Nepal, D. No. 563, MLR.

<sup>22</sup>*Report on Reorganization of District Administration in Nepal*, p. 5.

<sup>23</sup>*Ibid*, p. 4.

called Doti gaunda. The gaunda was another type of district (usually in the pahad). "Several hundreds of State troops were stationed in each gaunda under a high ranking military officer as commander who was subsequently given powers of bada hakim."<sup>24</sup> Illam was also "later given the status of a gaunda, though the commanding officer got the powers of bada hakim much later."<sup>25</sup> The headquarters of gaunda were called sadar gaunda.<sup>26</sup> There were also branch headquarters of gaundas known as chhoti gaundas.<sup>27</sup> Five such chhoti gaundas (or smaller military districts) were Salyan, Pyuthan, Dailekh, Baitadi and Jumla.

Districts which had importance as the main gateways to the tarai were small inner-hill districts called garhi.<sup>28</sup> Three such garhis were Udaipur, Chisapani and Sindhuli.

As already stated, the three districts in the valley were directly under the administrative control of the Rana prime minister acting through the hajuria-general.

Besides these types of districts, there were also 24 vassal chieftains called rajya-rajauta (or native states) which enjoyed certain types of autonomy and ran parallel to the district administration in the western hills of Nepal.

Thus, we may identify the following types of districts outside the valley or Khas Nepal during the period under study:

1. Goswara	{	(a) Goswara	—	Tarai
		(b) Militia Goswara	—	Pahad
		(c) Chhoti Goswara	—	Tarai
2. Gaunda	{	(a) Sadar Gaunda	—	Pahad
		(b) Chhota Gaunda	—	Pahad
3. Garhi			—	Bhitri Madhes

We shall now discuss the pattern of district administration. To repeat, there was no uniform areal pattern. So we shall examine the

<sup>24</sup>*Ibid.*, pp. 4-5.

<sup>25</sup>*Ibid.*, p. 5.

<sup>26</sup>G.R. Joshi, "The Reorganisation of District Administration," paper read at Tribhuvan University Seminar, 1964, Cyclostyled, pp. 1-4. See p. 1.

<sup>27</sup>*Ibid.*

<sup>28</sup>*Report on Reorganisation of District Administration in Nepal*, p. 5.

pattern separately as it existed in the pahad, the tarai and the valley of Nepal.

### PATTERN OF DISTRICT ADMINISTRATION

#### *Hill District Administration*

In the hill districts, there was no regular police set up as in the tarai districts. The bada hakim (or governor) held military rank and as such, had under his control, the local militia, which was a body of local men who turned up when needed. The regular army was also under bada hakim. To maintain law and order he used both the militia and the regular army.

The bada hakim held an army rank which was not always the same. It depended upon his relationship with the Rana prime minister and his position in the Rana roll. He could be a general, a colonel or a captain. To illustrate the point, Pyuthan gaunda had a bada hakim of captain rank; Salyan had a colonel and Palpa had a governor of general rank. So had Illam and Dhankuta gaundas while Dailekh and Doti had bada hakims of colonel rank.

Some of these hill districts were more important than others because of their strategic significance, history and tradition. These were Palpa, Dhankuta and Illam. The district heads in these districts were called governors and not bada hakims. Perhaps the term "governor" sounded more majestic and respectable. These governors were usually the prime minister's brothers or close relations. They held the rank of general. Out of these three districts, Palpa was the most important owing to its administrative significance and also due to the fact that Palpa had Bir Shamsheer (who later became prime minister) and Khadga Shamsheer (next to Bir Shamsheer) as governors. Moreover, it had a big military garrison, a big arsenal and a big treasury.

In the hill districts there was no separation of executive and judiciary and the bada hakim or governor could hear appeals from zilla adalat. This was not so in the tarai districts. Moreover, the zilla adalat decided all civil and criminal and revenue cases. In the tarai districts these three types of cases were tried separately.

As Table 1 indicates, the total hill districts during the period were 20, varying greatly in size (from 499 square miles to 7,323 square miles), as they were mostly products of historical accident. The administrative subdivisions of the hill districts were called thums.

TABLE 1  
Name of Hill Districts, their Area, Population and Type

Sl. no.	Name of districts	Area in sq. miles	Population	Type of districts
1.	East No. 1	1,436	2,48,787	Eastern hill districts
2.	East No. 2	1,139	1,59,775	
3.	East No. 3	1,766	1,95,002	
4.	East No. 4	957	1,95,768	
5.	Dhankuta	3,448	3,81,965	
6.	Illam	499	96,362	
7.	West No. 1	1,850	2,39,128	Western hill districts
8.	West No. 2	936	97,386	
9.	West No. 3	2,401	2,74,779	
10.	West No. 4	940	2,56,941	
11.	Palpa	7,323	4,75,841	
12.	Gulmi	962	not furnished	
13.	Baglung	4,640	not furnished	
14.	Salyan	2,932	3,06,922	
15.	Pyuthan	937	1,73,228	
16.	Dailekh	1,111	2,10,633	
17.	Jumla	4,902	11,18,896	
18.	Doti	2,819	2,25,000	
19.	Baitadi	1,431	75,457	
20.	Dandeldhura	809	37,228	

Source: Based on (a) data supplied by Nand Lal Joshi, secretary HMG, Prashasakiya Vyavastha Vibhag, Singha Darbar, Kathmandu; and (b) Buch Committee Report, Appendix V, p. 159.

(i) *The Executive—Gaunda/Goswara.* The districts gaunda or goswara constituted the executive part of the district administration in the hills. It also constituted the law and order component of the district administration. It consisted of a centrally appointed governor or bada hakim. He was assisted by the army and the militia.

The bada hakim was the principal representative of government in the district and as such was responsible for overall supervision, law and order, revenue collection, hospitality to the Rana prime minister or C-in-C or other important persons visiting the district.

Above all, being an arm of the Rana government, the bada hakim was expected to strengthen Rana power in the territory under his control. Also, being a powerful arm of the traditional

Rana power structure at the centre, he enjoyed a prestigious position in his district.

Unfortunately, not much information is available about the precise nature of the powers and position of the bada hakim and the personnel he had in his office. This results from the absence of any district manuals during the Rana period. In most cases, therefore, the district head exercised powers according to his own will. However, he exercised total power at the district level which is clear from a valuable Rana document running into 127 pages, of the days of Juddha Shamsher—Gaunda ko sawal, 1992 V.S.<sup>29</sup>

Some of the important powers and functions of the district head in the hills as listed in this sawal may be mentioned here. Broadly speaking, they could be divided under the following heads:

(1) *Law and order.* To maintain law and order, the bada hakim could use the army and the militia. All decisions in this connection were to be taken by him in his discretion. The prevention of theft and dacoity are specially mentioned<sup>30</sup> as being his responsibility. For this purpose he was expected to arrange watch and ward for the fort in the gaunda and all strategic points in the district,<sup>31</sup> keep watch on culverts and bridges, issue licences for guns, arms and ammunitions. He was centrally appointed and was responsible for all his actions to the centre only.

(2) *Control over the district army and the militia.* He was expected to work according to *jangi ain* (military law) and keep supervision and control over military garrisons in the district, recruit men in the army, arrange their training, supervise attendance of the army, prepare confidential report on the silkhana, the Magazine, the baroodkhana, the jangi pareth. He was to prepare the *pajani kugaz* (annual renewal of military men) and forward it to the C-in-C. He was to keep a record of the names of persons joining the British Gurkha regiment and to help the recruitment office at Palpa.<sup>32</sup> He was to arrange for the repair of arms and supply of ammunitions

<sup>29</sup>*Gaunda Ko Sawal*, 1992 V.S., HMG Nepal, D.No. 709, MLR. This sawal was given on Baisakh Sunday 16, 1922 V.S. by prime minister Juddha. It runs into 127 pages, listing details of 378 items, which determine the powers and functions of the district head in the hill districts.

<sup>30</sup>*Ibid.*, Section 69.

<sup>31</sup>*Ibid.*, Section 3.

<sup>32</sup>*Ibid.*, Section 89.

in the military stores and keep account of the cartridges and guns.

(3) *Control over the district judiciary.*<sup>33</sup> Not in the tarai districts; but in the hills only had the gaunda's bada hakim immense judicial powers. He was the appellate court and could hear appeals from the district adalat adda, which he was to inspect and supervise. In case the adalat hakim and bichari were found delaying decisions in particular cases, or were keeping cases pending with them, then he could first stop the payment of their salaries, could suspend them and finally, dismiss them. He was to send such report of his action to the central government at Kathmandu. He could also appoint new adalat hakim and bicharis. Thus we find that the district judiciary in the hills was made subordinate to the bada hakim's executive authority.

(4) *Control over district revenue.* The bada hakim was responsible for all land revenue collection in the district through the *mal adda* (revenue office). He was also to inspect the office and take suitable action against erring officials.

(5) *Control over district accounts and audit.* The bada hakim was to supervise the work of the district Kumari Chowk office and check the accounts and ledger, so that government money could not be embezzled.

(6) *Control over teen sancho district treasury.* A sum of ten thousand rupees and above was kept in *teen sancho* (three keys) district treasury. One key used to be with the mal hakim, the other with the adalat hakim and the third with the assistant hakim in the gaunda. Overall responsibility over teen sancho treasury vested in the bada hakim.<sup>34</sup>

(7) *Recruitment of the district personnel and darshan bhet.*<sup>35</sup> The bada hakim was to recruit personnel for various offices in the district. He could also dismiss them. He wrote their confidential reports and prepared pajani kagaz. He had full control over the district personnel administration. He also arranged darshan bhet (audience of *Shri Teen Maharaja* prime minister to all government servants with *nazarana* (gifts) when the maharaja visited the district). He arranged disbursement of the pay of government

<sup>33</sup>*Ibid.*, Sections 6 and 38. This account is based on these sections.

<sup>34</sup>*Ibid.*, Section 15.

<sup>35</sup>*Ibid.*, Sections 28, 29 and 98.



servants in the district. This duty was called "bali talab khuvaune."

(8) *Control over the district jailkhana.*<sup>36</sup> The bada hakim was to look after the diet and other general condition of the prisoners in the jailkhana, give money for buying kerosene oil for lighting in the jailkhana and to help the jail hakim in suppressing riots among prisoners.

(9) *PWD and postal works.* He was to look after and supervise the construction of all government buildings and to look after the postal system through the hulak adda. This adda received petitions from people and forwarded them to the district or central government. It received government orders which were passed on to the concerned offices and men.

(10) *Inspection tours.*<sup>37</sup> The bada hakim's most important responsibility was daudaha. He was to inspect during his daudaha, all government activities and offices in the district, dispose of pending cases in judicial offices, catch corrupt officials, hear people's grievances, check accounts and ensure general peace and prosperity in the district.

(11) *Health and relief.*<sup>38</sup> The bada hakim was to look after the state Ayurvedic dispensaries and check ledgers in the district. He was to protect people against natural calamities like landslides, floods, fire, etc. and organize relief for the affected people.

(12) *Forest work.* The bada hakim was to inspect and supervise the working of the ban janch adda and through *kathmahal* hakims arrange sale of trees and woods and jungle products. He was to regulate games in the forest and arrange for the shooting of man-eaters. He was also to arrange the training of rangers and hunters.

(13) *Temple work.* Since Nepal has always been a Hindu state, temples and Hindu festivals have been state responsibility. The bada hakim was to keep account of the gold and silver ornaments and wares of gods and goddesses in the temples and keep them in good condition. The maintenance of temples in the district was as such his responsibility.

(14) *Protect religion and caste.*<sup>39</sup> The bada hakim was to protect

<sup>36</sup> *Ibid.*, Sections 31 and 32.

<sup>37</sup> *Ibid.*, Sections 7 and 8.

<sup>38</sup> *Ibid.*, Section 99.

<sup>39</sup> *Ibid.*, Section 93.

the religion of the people (so that nobody converted a Hindu to some other faith). Even today this is state responsibility in Nepal. He was also to see that the Thakurs and Brahmans did not marry into the lower castes and ensure the proper functioning of caste laws (*jati dharma*). He was also to protect cows.

(15) *Other works*.<sup>40</sup> The bada hakim had many other responsibilities—arranging *salami* (salutes) on ceremonious occasions, permitting, after thorough enquiry, the exit of *purbatias* (mountain people) to Khas Nepal (the valley) and vice versa, maintain kine houses, look after pathshalas, arrange government auctions and sales, look after *jinsi khana* (government stores), keep watch on traders and check their accounts, dispose of bintipatras (petitions to government), look after the dress, silver and gold head dress of government servants, suggest changes in sanads and sawals, advance loan to military personnel, arrange supply and sale of essential commodities to the people of the district, protect cattle-grazing fields, etc.

The bada hakim was to pay immediate attention to *hukum-marzi-ko-pramangi-purji*<sup>41</sup> (the written direct commands coming from the Rana prime minister or the C-in-C), and also to execute immediately any verbal command from the centre. Above all, he was expected to keep the expenditure of the Rana government at the minimum in the district.

(ii) *The Revenue Administration—Mal Adda*.<sup>42</sup> Until 1902, land revenue collection was handled by an office known as *bakyauta tahsil adda*.<sup>43</sup> It was ill-equipped and ill-staffed and it could not deal effectively with the defaulting talukdars.<sup>44</sup> The government was therefore incurring loss in land revenue. So, Chandra Shamsheer organized the mal adda (revenue office) in 1902 for the proper collection of land revenue and keeping records.

The primary function of the mal adda was to collect land revenue.

<sup>40</sup>*Ibid.*, based on the various sections in this *Sawal*.

<sup>41</sup>*Ibid.*, Section 1.

<sup>42</sup>This account is based on interviews with Babu Ram Acharya, Subba Krishna Prasad Gautam and various revenue regulations issued by the Rana prime ministers during the period. Naib Subba Hiralal's *Pahad Mal Bishaya*, Kathmandu, 2008 V.S., also served as a good source of information.

<sup>43</sup>Naib Subba Hiralal, *Pahad Mal Bishaya*, p. 1.

<sup>44</sup>Talukdars were unofficial tax collectors in the hill districts.

But during the later period of the Rana regime, the mal adda was allotted other functions as well. It functioned also as the government treasury and registration office in the hill districts.

In the hill districts the mal adda became responsible for the collection of land revenue from *raikar*, *birta* and *guthi* lands.<sup>45</sup> Not so was the case with the tarai mal adda.

The mal adda in the hill districts had also the power to hear cases concerning payment of taxes and double entry or omission of lands in the land records.<sup>46</sup>

*Mal hakim.* The mal adda was under a hakim called mal hakim (revenue officer). The mal hakim could be of subba rank, or kharidar rank. He had under him assistants, called mukhia or tahrir.

If the hakim was a kharidar, he was called laftan kharidar, prestige being added by adding a military rank to him.<sup>47</sup> If he was a subba, he was called mal subba.

The mal adda, under mal hakim, in its day to day function was under the general control and supervision of the bada hakim in the district who ensured that the revenue office worked within the jurisdiction and that revenue was collected regularly.

The mal adda was under "contractual obligations"<sup>48</sup> regarding the collection of revenue. If the collection fell short of the stipulated amount, the mal hakim and other revenue officials were under obligation to compensate the loss to government. This could be done by deducting the amount from their salaries. Such punishment was actually enforced in 1908, in the case of two districts of Doti and Achham, during Chandra Shamsheer's regime.<sup>49</sup> The mal hakim of Surkhet was under obligation to return his salary in case 200 bighas of wasteland in his district were not cultivated every year and revenue was paid to government.<sup>50</sup>

But in case the mal hakim collected the full amount of land revenue, he was also rewarded. He was entitled for an increase in

<sup>45</sup>*Okhaldhunga Mal Ko Sawal*, 1934. See Sections 22 and 126, *op. cit.*, MLR.

<sup>46</sup>*Sindhupal Chowk Mal Ko Sawal*, 1944. HMG Nepal, MLR.

<sup>47</sup>Interview with Babu Ram Acharya.

<sup>48</sup>Mañesh C. Regmi, *Land Tenure and Taxation in Nepal*, Berkeley, 1963, Vol. I, p. 125.

<sup>49</sup>*Doti Ra Achham Mal Ko Sawal*, 1965 V.S., MLR.

<sup>50</sup>*Surkhet Survey Order*, 1950, HMG Nepal, MLR.

salary and promotion in several hill districts.<sup>51</sup>

*Talukdar*.<sup>52</sup> The revenue subdivision of the hill district was called *mouja* or thum. This was under the talukdar who did the actual work of revenue collection. The success or failure of the district revenue office depended largely upon this non-official who used to be a hereditary, local, revenue collecting agency. Usually the talukdar inherited his post.<sup>53</sup> If he lost it, then a man chosen by the majority of the landholders of the area was appointed as talukdar.<sup>54</sup> He was usually a local man. This facilitated revenue collection, as he knew the people and they knew him. It was laid down in the *Muluki Ain*<sup>55</sup> that a man who is a citizen of Nepal and is not insolvent or guilty of theft or defalcation of government money could only be appointed as talukdar. He could be dismissed in accordance with *ain sawal*<sup>56</sup> for proved offences, for example, failure in the proper collection of land revenue, defalcating the land revenue, or if the people of the area were dissatisfied with him. He could also be dismissed if he suppressed information about a man who was wanted in a case or was a convict under sentence and given protection.<sup>57</sup> The talukdar could resign his post, but in no case between Shri Panchami and Dasain festivals,<sup>58</sup> so that revenue collection work did not suffer.

In 1949, through a revenue regulation<sup>59</sup> it was made obligatory for the talukdar to appoint his agent in the village, whenever he proposed to go on leave. Otherwise he could be dismissed.

As is mentioned in a *sawal* of 1934 the talukdar was entitled to a commission of five rupees on every Rs 105 collected on khet

<sup>51</sup> *Okhaldhunga Mal Ko Sawal, 1934, op. cit., MLR.*

<sup>52</sup> Based on (i) *Muluki Ain*, 5 vols. Kathmandu, Gorkhapatra Press, 2009 V.S., (ii) *Muluki Sawal*, 1993 V.S., Kathmandu, Commoner Alliance Press, 2010 V.S., (iii) Naib Subba Hiralal, *Pahad Mal Bishaya*, 2008 V.S., *op. cit.*, and (iv) various revenue regulations of 1901-51 period.

<sup>53</sup> "Jagga Pajani Ko," *Muluki Ain*, 1992 V.S., Part III, Section 21, p. 38.

<sup>54</sup> *Sindhupal Chowk Mal Ko Sawal, 1934, op. cit., Section 99, MLR.*

<sup>55</sup> "Rakam Bandobast Ko," *Muluki Ain*, 1992 V.S., Part II, Section 2, p. 23.

<sup>56</sup> "Jagga Pajani Ko," *Muluki Ain*, 1992 V.S., Part III, Section 21, p. 38.

<sup>57</sup> "Danda Sajaya Ko," *Muluki Ain*, 1992 V.S., Part I, Section 19, p. 195.

<sup>58</sup> "Jagga Pajani Ko," *Muluki Ain*, 1992 V.S., Part III, Sections 22-23, p.38.

<sup>59</sup> *Order for the Appointment of Agents by Talukdars, 1949, HMG Nepal, MLR.*

land<sup>60</sup> and three rupees on every Rs 103 for other lands.<sup>61</sup> However, he was paid commission only on such amounts as were actually deposited with the mal adda within the fixed time limit.<sup>62</sup> Prior to 1942, talukdars were given land in lieu of commission. In 1942 the commission system was introduced in all the hill districts.

In 1935 through Bhaktapur Talukdari Regulation (Section 4)<sup>63</sup> talukdars were disallowed to exact unpaid labour from landholders of pakho land. However, this system of unpaid labour in all forms was finally abolished after the 1950-51 revolution.

It appears that the talukdar, in the hill districts, had to perform the most difficult job of visiting villages where there was no transport or communication and these villages were not in compact settlements. Naturally, he had to devote much time and effort and incur great risk. However, since the district administrative machinery was ill-equipped to collect revenue, the talukdar became the most important agency in revenue administration and collection in the hill districts. Though Nepal is an agricultural country, the Ranas never paid adequate attention to land and agriculture. There was no fixed rule for the land. Land offices were operated by ill-paid and ill-qualified staff.<sup>64</sup> In such a chaotic condition, it was obvious that the talukdar wielded much authority and played an important role in the revenue administration of the hill districts.

(iii) *The Judiciary—Adalat Adda.*<sup>65</sup> The adalat adda was under a hakim called ditha. He was assisted by another judicial official called bichari. Two more functionaries called writer and nausinda also assisted in the court work. One *hudda* (or havildar) and a few

<sup>60</sup>*Okhaldhunga Mal Ko Sawal*, 1934, *op. cit.*, Section 94, MLR.

<sup>61</sup>*Majhkirat Mal Ko Sawal*, 1934, Section 94, HMG Nepal, MLR.

<sup>62</sup>*Addendum to Hill Revenue Regulation*, 1944, HMG Nepal, MLR.

<sup>63</sup>*Bhaktapur Talukdari Regulation*, 1935 A.D., Section 4 (HMG Nepal), MLR.

<sup>64</sup>According to Babu Ram Acharya and Subba Krishna Prasad Gautam, the mal hakim, if a kharidar was paid a salary of Rs 600 per annum and the mal subba Rs 800 per annum. Mukhia was paid Rs 350 to Rs 400 per annum. Hence, nepotism and corruption was rampant in the revenue administration of the hills during the Rana period.

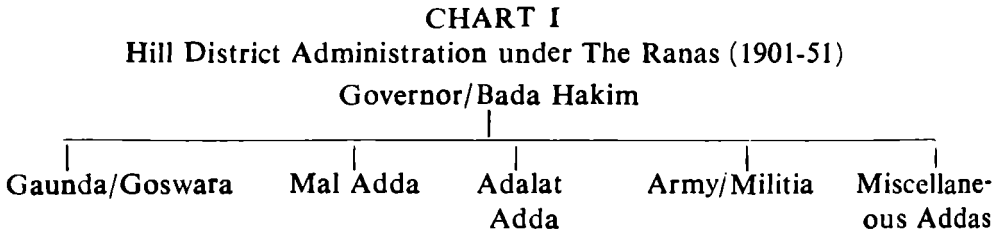
<sup>65</sup>Based on (i) *Pahad Bandobast Sawal*, 1964 V.S. Friday, Paush 21, 1964 V.S., HMG Nepal, D. No. 18. MLR; (ii) *Gaunda Ko Sawal*, 1992 V.S., *op. cit.*; and (iii) interview with Babu Ram Acharya.

*sipahis* (peons without rifles) were also attached to the district court.

The jurisdiction of the *adalat adda* extended to trying and hearing of cases and appeals on criminal, civil and revenue sides. As the district *bada hakim* was also a judge in the hills so he heard appeals from the *adalat addas*. The total number of *adalat addas* varied during the period. However, they were more in number than the hill districts. Obviously, this meant that one hill district had sometimes two to four *adalat addas*. To illustrate the point, East No. 1 district had two *adalat addas* (at Kavray Palanchok and Sindhuli Palanchok), while East No. 4 had four such *adalat addas*.

(iv) *Other Addas*. Some other *addas* of minor significance with skeleton district activities were *pani adda* (water supply office), telephone *adda* (telephone office), *hulak adda* (post office), *ban janch adda* (forest office), etc., all ill-staffed and ill-paid.

In short, the pattern of the hill district administration was as follows:



#### TARAI DISTRICT ADMINISTRATION

We shall now refer briefly to the pattern of the tarai district administration. The tarai region of Nepal is a narrow strip of plain adjoining the entire Indian border. As the region consists of a dense forest belt and low land with hot and humid climate, it was called the tarai (damp) region by the Gurkha rulers. In the records of *muluki bandobast* office of the Rana period, it has been referred to also as *madhes* and the people of the region as *madhesia* (those who belong to Madhes).

The tarai districts were broadly of three types according to regional considerations. Between Mahabharat and Sindhuli ranges was situated the inner tarai region called *bhatri madhes*. This had the three districts of Chisapani, Udaipur and Dang-Deokhuri. Their headquarters were called *garhis*. They were all foothill districts, mostly underdeveloped.

Less productive in agriculture were the four districts of Palhi-Majhkhand, Sheoraj-Khajhani, Banke-Bardiya and Kailali-Kanchanpur. They were called the western tarai districts. They had goswaras as their headquarters.

The more productive, more industrialized (since Juddha's time) and more densely populated tarai districts, known as the bread-basket of Nepal, have been: (i) Birganj, called "the gateway to Nepal"; (ii) Mahottari; (iii) Saptari; (iv) Biratnagar; and (v) Jhapa. They were called the eastern tarai districts. Except Jhapa, which had a chhoti goswara, all the others had goswara status.

All these 12 districts in the tarai—inner, western and eastern regions—varied greatly in area and population. As Table II indicates, the biggest district in area was Birganj (2,192 square miles) and the smallest Sheoraj-Khajhani (469 square miles); their sizes were mainly the result of historical accident.

TABLE II  
Name of Tarai Districts, their Area, Population and Type

<i>Sl. no.</i>	<i>Name of districts</i>	<i>Area in sq. miles</i>	<i>Population</i>	<i>Type of districts</i>
1.	Chisapani	1,254	49,615	Inner tarai districts
2.	Udaipur	663	39,486	
3.	Dang-Deokhuri	1,057	77,788	
4.	Birganj	2,192	4,51,670	Eastern tarai districts
5.	Mahottari	1,107	4,60,943	
6.	Saptari	870	3,63,941	
7.	Biratnagar	1,449	1,72,429	
8.	Jhapa	1,176	69,045	
9.	Palhi-Majhkhand	600	1,77,885	Western tarai districts
10.	Sheoraj Khajhani	469	1,00,189	
11.	Banke-Bardiya	759	1,14,364	
12.	Kailali-Kanchanpur	1,339	49,202	

*Source:* (a) Based on data supplied by Nand Lal Joshi, and (b) *Buch Committee Report, op. cit.*, Appendix V, p. 160.

In a tarai district, the district head was usually called bada hakim. He had no militia. He was also, usually, not an army general or a colonel. The tarai districts had a regular district police

system to maintain law and order. The revenue administration was also better organized with the system of cash payments and the collection through jimidar and patwari, possibly as a result of the influence of the system prevalent in the adjoining Indian districts.

The district judiciary called amini was separated from the district police office and the district goswara. It had separate civil and criminal courts. The administrative subdivision of the tarai district was called mouja. Moujas were divided into gaons.

(i) *The Executive—Goswara (Bada Hakim)*. Like the bada hakim or the governor in hill districts, the bada hakim in the tarai was also the principal representative of the Rana government in the district, charged with the responsibility of execution, direction, supervision and control of the total government work within the district.

In the absence of any district manual, as has been stated earlier, and "because he was far away from Kathmandu and its rulers," the bada hakim "could do as he pleased."<sup>66</sup> He was the "Sarkar" in the district and the "Jang Bahadur."<sup>67</sup>

The bada hakim's powers and functions included all those powers stated earlier regarding the bada hakim (or governor) of the hill districts,<sup>68</sup> with the following differences:

(1) *Law and order*. To maintain law and order in the district Chandra Shamsheer gave the bada hakim in the tarai a police system with inspector and other staff.<sup>69</sup> The district police goswara was later created<sup>70</sup> and it was made subordinate to the zilla goswara.<sup>71</sup> There was army also, but the bada hakim could use it only in an emergency. Law and order in the tarai also included border security,<sup>72</sup> issuing licences for guns, arms and ammunitions, etc.

(2) *Control over district revenue and custom*. The bada hakim was responsible for revenue collection in the district through the mal adda, and customs through the bazar adda. His powers in this

<sup>66</sup>Report on Reorganisation of District Administration in Nepal, p. 13.

<sup>67</sup>An object of terror.

<sup>68</sup>See *Gaunda Ko Sawal*, 1992 V.S., MLR.

<sup>69</sup>*Birganj Police Sawal*, 1973 V.S., HMG Nepal, D. No. 138, MLR.

<sup>70</sup>*Ibid.*

<sup>71</sup>*Ibid.*

<sup>72</sup>*Ibid.*



connection were the same as those of the district heads in the hill districts.

(3) *Judiciary and jails.* The bada hakim could direct the amini on how to expedite disposal of cases and regulate its work. He could also supervise its work. But he had no appellate authority as the gaunda's bada hakim in the hill districts had. The setting up of apil addas curtailed the judicial powers of the bada hakims.

The jail was under the general supervision of the bada hakim to see that arrested persons received their diet and were not ill-treated, that undertrials met justice, and that the prison was kept clean.

(4) *Inspection and tours.* Like the bada hakims of the hill districts, he also went on daudaha to inspect all government activities and offices in the district.

(5) *Health and temples.* He also looked after the dispensaries in the district and the temples and the guthis.

(6) *Miscellaneous.* The bada hakim in the tarai had to keep eyes on the foreigners entering Nepal from the Indian side, look after the proper running of the tarai railway, the ropeways, the forest, the sale of timber and wood, the factories, the postal system, kine houses, caste dharma, the district personnel, the district treasury, PWD, panchayats, etc.

The bada hakim thus represented in his area all the governmental powers, "just as the prime minister did at the centre."<sup>73</sup>

(ii) *The Police Administration.* Lieutenant Colonel Lawrence, the officiating British Resident in Nepal, in a letter dated 22 July 1865, had reported to the Government of India that "It is not possible to believe that the petty posts which Sir Jang Bahadoor has established on the frontier will suffice for the purpose of an effective Police. . . ."<sup>74</sup>

What Lawrence meant was that the small Nepalese police posts in the tarai set up by Jang Bahadur were not regular police posts. They were what J.D. Gordon, a British magistrate on special duty on crimes in Nepal-British India frontier had described as "These so called Police Posts are in reality merely detached *Cutcherries*

<sup>73</sup>Werner Levi, *Government and Politics in Nepal*, p. 186.

<sup>74</sup>Lt. Col. Lawrence to the Secretary to the Government of India, 22 July 1865, *Foreign Political A* (August 1865), Progs. No. 81, para 4, NAI.

connected with the management and collection of revenue. . . .”<sup>75</sup>

Besides these two observations, the Buch Committee reported in 1952: “When the first Prime Minister of Nepal assumed charge as the Maharaja, over a hundred years ago, a small Code called the *Barah Sawals* (Twelve Rules) regulating the conduct of citizens was introduced. No regular Police Force existed until about forty years ago. . . .”<sup>76</sup>

In short, no regular police set-up existed in the districts of tarai until Maharaja Chandra assumed charge. The first police sawal was given by Chandra in 1971 V.S.<sup>77</sup> This sawal set up the first “zilla police” under a hakim inspector at Birganj. Two years later, the Birganj district police was reorganized and put on a better footing through a comprehensive Birganj police sawal dated Friday, Marg 24, 1973 V.S.<sup>78</sup> Later, Chandra issued five more police sawals<sup>79</sup> during his long tenure for better police administration in the valley and the tarai districts. Various police goswaras, thanas and chowkis were set up through these sawals.

Later, Juddha reorganized and reformed the police system through three new sanad-sawals.<sup>80</sup> Padma introduced in 2003 V.S. police superintendent offices in the districts of Birganj, Biratnagar and Nepalganj.<sup>81</sup> The police had now a director-general at Kathmandu to control and coordinate the activities of the police offices in the valley and the tarai districts. During the whole Rana period, the pahad districts had no police set-up.

<sup>75</sup>J. D. Gordon to the Secretary to the Government of Bengal, 11 April 1865, *Foreign Political A* (August, 1865), Progs. No. 83, para 41, NAI. Police *Thanas* and *Chowkis* existed in the *Tarai* districts during Jang Bahadur, but they were not the police posts as we understand by that term.

<sup>76</sup>*Buch Committee Report, op. cit.*, para 240, p. 95.

<sup>77</sup>*Birganj Khajhani Zilla Police Sawal*, 1971 V.S., MLR.

<sup>78</sup>*Birganj Police Sawal*, 1973 V.S., HMG Nepal, D. No. 138, MLR.

<sup>79</sup>See (a) *Zilla Police Inspector Ko Sawal*, 1976 V.S.; (b) *Zilla Police Inspector Sawal*, 1981 V.S.; (c) *Bara, Parsa, Rautahat Chowki Police Sawal*, 1985 V.S.; (d) *Khajhani Sheoraj Chowki Police Sawal*, 1985 V.S.; and (e) *Police Inspector Office Naya Sawal*, 1985 V.S., HMG Nepal, D. Nos. 190, 286, 361, 379 and 381 respectively, MLR.

<sup>80</sup>See (a) *Bethari Police Inspector Sawal*, 1992 V.S.; (b) *Naya Muluk Inspector Sawal*, 1998 V.S., and (c) *Madhesh Thana Chowki Daudaha Sanad*, 2000 V.S., HMG Nepal, D. Nos. 697, 886 and 914 respectively, MLR.

<sup>81</sup>*Nepal Police Superintendent Office Sawal*, 2003 V.S., HMG Nepal, D. No. 974, MLR.

For a better understanding of police administration in the tarai districts, we should refer to some of the important sections of the Birganj police sawal, 1973 V.S.

The Birganj police sawal reorganized the district police and set up at Birganj a police goswara under hakim inspector Lieutenant Ganesh Bahadur Basnet.<sup>82</sup> This police goswara was sanctioned a sum of Company Rs 9,578 for one year to be drawn from Birganj Parsa mal.<sup>83</sup> This money was to be spent over the disbursement of monthly salaries to the police personnel in goswaras, thanas and chowkis.

For the first time this sawal gave a clear picture of the hierarchy of officials together with their total number and pay in the Birganj police goswara, as follows:

TABLE III  
Hierarchy of officials, their Total Number and Pay in Birganj District  
Police Goswara, 1973 V.S.

<i>Sl. Officials no.</i>	<i>Total no.</i>	<i>Salary per annum in Company rupees</i>
1. Hakim inspector	1	720
2. Assistant sub-inspector	1	500
3. Hakim	1	480
4. Mukhia	1	360
5. Subedar	2	240 each
6. Bahidar	1	180
7. Nausinda	1	144
8. Jamadar	1	96
9. Hudda	1	84
10. Sipahi	16	72 each

*Source:* Based on Section 3 of the *Birganj Police Sawal*, 1973 V.S.

As this sawal tells us, under the Birganj district police goswara were opened four thanas at Devapur, Rampur, Samanpur and Kacharwa, each with the staff mentioned therein (Tables IV, V), their total number and pay.

A police chowki thus had usually four sipahis. Sometimes it had five or six sipahis<sup>84</sup> also, for example, Adhmara chowki in Parsa

<sup>82</sup>*Birganj Police Sawal*, 1973 V.S. See the Preamble.

<sup>83</sup>*Ibid.*

<sup>84</sup>*Ibid.* These examples are based on this *Sawal*.

had six sipahis and Raxaul had five sipahis. Moreover, whereas Parsa had ten, Bara had five and Rautahat had only four chowkis. It appears that the number of chowkis varied according to the importance of the area and its population.

TABLE IV  
Hierarchy of officials, their Total Number and Pay in the Police Thana in Birganj District, 1973 V.S.

<i>Sl. Officials no.</i>	<i>Total number</i>	<i>Salary per annum, in Company rupees</i>
1. Subedar	1	300
2. Nausinda	1	108
3. Jamadar	1	96
4. Hudda	1	78
5. Sipahi	6	66 each

*Source:* Based on Section 3 of the *Birganj Police Sawal*, 1973 V.S.

TABLE V  
Staff, their Total Number and Pay in the Police Chowki in Birganj District, 1973 V.S.

<i>Sl. Staff no.</i>	<i>Total number</i>	<i>Salary per annum in Company rupees</i>
1. Sipahi	4	60 each

*Source:* Based on Section 3 of the *Birganj Police Sawal*, 1973 V.S.

The organizational structure of the police goswaras, thanas and chowkis was more or less the same as stated above throughout the *Tarai*.

The Birganj police sawal<sup>85</sup> mentions in its various sections 26 duties of the police. These police duties were to arrest bad characters with proof and forward them to the amini (Section 1); keep watch on thieves and dacoits and forward them to the thana and from there to the police goswara for necessary action (Section 2); keep record of stolen property and forward it along with the culprits to the thana or the goswara and to the amini (Section 3); disperse crowds and riots (Section 4); arrange milapatra (compromise document) and forward it to the amini (section 5); report all

<sup>85</sup>*Ibid.*, See Sections 1-26.

cases of murder and suicide to the bada hakim and take help of the jimidar, the bhala admi (gentleman) and the panch (Section 6); check border crimes and forward criminals from across the border (India) to the amini (Sections 8—12); keep vigilance over the jailkhana and the khor (Section 15); check arms licences, etc. (Section 16); arrest persons ordered by the amini (Section 20); and do the kine house work (Section 21).

Section 9 gave magisterial power to the police goswara. It stated: "Police Goswara Hakim can punish a culprit with 7 days imprisonment, or 20 whips, or 1 month, and to a maximum of 6 months imprisonment. More than six months imprisonment can only be sentenced by *Amini*. . . ." <sup>86</sup>

Section 23 prohibited the district police from taking bribes. It commanded: "The Police from *Hakim* to *Sipahi* in *Goswara*, *Thana* and *Chowki* are commanded not to receive *Sar-Salami-Ghoos-Mejmani* [i.e. bribe or dinner], from *Duniadars*. . . . Guilty officials may be punished by *Amini* and be transferred by *Police Goswara* or be dismissed by *zilla Goswara*. . . ." <sup>87</sup>

Summing up, we may say that this sawal gave the tarai districts not only a regular police system but also a sort of police manual.

A dui chhape sanad dated 14 Marg 1973 V.S. <sup>88</sup> commanded the working of the police goswara, thanas and chowkis under the general supervision of the zilla goswara and the bada hakim.

Another dui chhape sanad dated 2 Falgun 1973 V.S. <sup>89</sup> commanded Sundarijal jangi magazine goswara to supply metal badges, belts, etc. to Birganj and Khajhani police goswaras.

It appears that the Birganj and Khajhani pattern of police administration was later introduced and organized in all the tarai districts through zilla police inspector ko sawal, 2 Paush 1976 V.S.

Juddha gave additional duties to the tarai police, <sup>90</sup> they were to provide fire protection, help people during famines, earthquakes,

<sup>86</sup> *Ibid.*, Section 9.

<sup>87</sup> *Ibid.*, Section 23.

<sup>88</sup> *Shri Teen Maharaja Ko Khadga Nishana O Chief Saheb Ko Baruli Nishana Para Ko Dui Chhape Sanad*, 1973 V.S. See Sections 1-5 dealing with the *Bada hakim* and police. Tagged with D. No. 138, MLR.

<sup>89</sup> *Dui Chhape Sanad*, 1973 V.S. See Preamble. Tagged with D. No. 138, MLR.

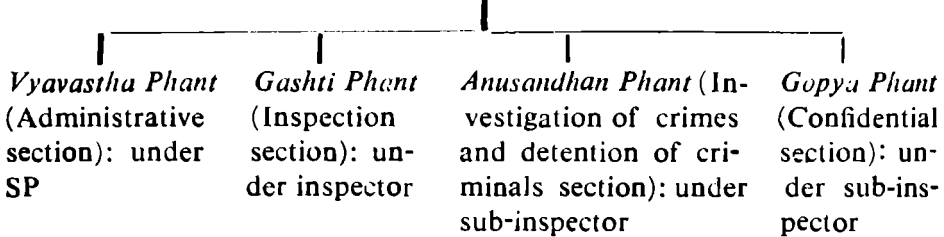
<sup>90</sup> For details see *Bethari Police Inspector Sawal*, 1992 V.S., pp. 3-86, MLR.

epidemics, etc., enforce caste laws strictly, enforce laws regarding black marketing, industrial unrest, etc., collect salami money, do postal work where hulak adda was not set up, send crime reports to Gorkhapatra at Kathmandu, do CID work and keep watch on anti-government activities, etc.

For the tarai police goswara Padma Shamsheer created new posts of SPs and ASPs.<sup>91</sup> Other posts were also created—the posts of DSP and sub-inspectors.

District police goswara was now reorganized into five phants (sections) as the following chart will indicate.

CHART II  
Tarai Zilla Police Goswara



Source: Based on *Nepal Police Superintendent Office Sawal*, 2003 V.S., MLR.

Either an SP or a DSP was now head of the district police, with inspectors under them. They were now responsible to the director-general of police at Kathmandu.<sup>92</sup> In smaller tarai districts chhoti inspector goswaras were also opened with inspectors as heads. Many *Chowkis* were raised to the status of *Thanas* by various sanads, for example, Rajapur chowki was raised to thana level and its yearly grant from company Rs 552 was now raised to company Rs 1,448.

Mohan Shamsheer gave more powers to the police to curb anti-Rana agitations in the tarai districts.<sup>93</sup>

However, there were no police lines or family quarters for the forces till 1952.<sup>94</sup>

<sup>91</sup>Padma created posts of SP (Superintendent of Police) and ASP (assistant Superintendent of Police) for *Tarai*. See *Nepal Police Superintendent Office Sawal*, 2003 V.S., MLR.

<sup>92</sup>*Ibid.*, p. 6.

<sup>93</sup>*Madhes Police Daudaha Sawal*, 2006 V.S.; and *Madhes Police Dui Chhape Sanad*, 2007 V.S., HMG Nepal. Both are tagged with D. No 974, MLR.

<sup>94</sup>*Buch Committee Report, op. cit.*, para 246, p. 97.

(iii) *The Revenue Administration.* (a) *Mal adda.* The three areas in the tarai region—the eastern, western and inner tarai districts—differed in the form and level of assessments and the classification of the land and also in their tax systems in many respects. However, since 1902,<sup>95</sup> they had a similar pattern of *mal adda* (revenue office) for land revenue collection and administration. The *mal adda* was under a *mal hakim*, usually of the rank of a *subba*. The *mal hakim* was assisted by a small staff whose number varied with the size of the area administered by the *mal adda*. The *bada hakim* was chiefly responsible for the proper collection of land revenue and as such, the *mal adda* worked under his control and supervision. A district could have more than one *mal adda*.

The *mal adda* served both as a land record office and the revenue collection office. Later, it also administered the royal estates.<sup>96</sup>

When the district administration moved into fields other than land tax, it was perhaps natural that the *mal adda*, being the best organized and the only local government office in the area, was given additional responsibilities such as treasury functions and receiving of funds collected by customs, forestry etc.,<sup>97</sup> and disbursing money to government officials and other offices like police *goswara*, *hatisar adda*, etc. It also functioned as a registration office.

(b) *Revenue collectors.* The primary unit of revenue administration in the tarai was called *mouja*. In some tarai districts the revenue subdivision was also known as *tappa* or *pargana*.

At the *mouja* level, the actual task of revenue collection was entrusted to the non-official functionary, called *jimidar* in the tarai district. The post was hereditary and local men for obvious reasons were appointed. The contract system of land revenue collection was replaced by the *jimidari* system by Chandra Shamsheer in 1908-9.<sup>98</sup>

<sup>95</sup>Till 1902, land revenue collection was handled by *Bakyauta Tahsil Adda*. See Naib Subba Hira Lal, *op. cit.*, p. 1.

<sup>96</sup>Himsworth, *The Fiscal System of Nepal, etc.*, 1959, cyclostyled, UNTAO Kathmandu, para 98, p. 31.

<sup>97</sup>*Annual Report on Nepal for the year 1904-5*, September 1905; letter from the Resident in Nepal, *Foreign Department Secret E*, Progs. Nos. 1-4, para 5, NAI.

<sup>98</sup>*Jimidari Regulation*, 1909, HMG Nepal, MLR.

The jimidar was assisted by another village official called patwari. He helped the jimidar in collecting land revenue and in maintaining assessment records and accounts.

The jimidars and patwaris were assisted in a few tarai districts by another village functionary called the godayat or gumastha,<sup>96</sup> employed to serve notices to landholders in course of tax collection.

In many tarai districts the village functionaries included chaudharis, kanungos, mahaldars, mokaddams and jetha-raiyats.<sup>100</sup>

But in 1909, by a jimidari regulation Chandra Shamsher replaced these functionaries by appointing jimidars and patwaris. These two village officials played a very important role in the revenue administration in particular, and the local administration in general.

A jimidar usually had one mouja under him. He could have more than one mouja also. He inherited the post. He could be dismissed for defalcation of revenue or inefficiency. The jimidari holding was usually auctioned to the highest bidder. He received a commission of 25 paise for every rupee collected and deposited by him at the revenue office. As he was responsible for the arrears in tax collection, the arrear amount could be deducted from his commission. He was allowed, besides commission, personal use of a plot of land attached to the jimidari holding, called jirayat or sir. Until 2007 V.S., the jimidar could exact unpaid labour from the landholders under his jurisdiction. This type of exploitation was meant for the free cultivation of the jimidar's jirayat or sir lands.

The patwari was a jimidar's deputy or assistant. He was always a local man. He was to visit each mouja once in a month to ensure smooth collection and maintenance of the assessment and the land records. He could be dismissed if he did not visit the revenue office once a month. He could leave his area only on permission from the bada hakim or the mal hakim. He received a commission of 15 paise for every rupee collected and deposited in the revenue office. The jimidar and the patwari could not be from the same family. Perhaps the idea was that members of the same family were not competent to serve as a check on each other's temptation to embezzle government money.

<sup>99</sup>*Itihas Prakas*, Kathmandu, Itihas Prakas Mandal, n.d., Vol. I, p. 80.

<sup>100</sup>*Ibid.*



Both the jimidar and the patwari did more work than just revenue collection. They were also responsible for helping officials in the collection and administration of customs, forestry, woods, etc., catching of criminals, maintenance of border security, riots, supervision of bad characters in the village, postal distribution, fires, famines, earthquakes, landslides, floods, epidemics, etc., and assisting the local administration in the maintenance of law and order in general.

Thus, they played an important role in local administration, in view of their innumerable obligations and responsibilities. But their remuneration was very meagre. However, the office of jimidar in the tarai area and of talukdar in the hill area, carried much prestige, and consequently was much sought after.

(iv) *The District Judiciary—Amini Katcheris.*<sup>101</sup> In the tarai, subordinate to the zilla goswara under the bada hakim, were one or more amini katcheris,<sup>102</sup> under a lieutenant or hakim during Chandra Shamsheer's time, and later during Juddha Shamsheer's time, under hakim subba. The police goswara, thanas and chowkis were subordinate to the amini katcheris. The amini katcheris were divided into two sections (civil and criminal) for the administration of civil and criminal justice, which was carried on according to "a code of laws based primarily on Manu's institution, but modified by local customs, traditions and experience."<sup>103</sup>

The total tarai districts were only 12 in number but the amini katcheris were 22 and were located at: Birganj, Bara, Parsa, Kaliaya, Katarban, Sarlahi, Sira, Hanumannagar, Biratnagar, Jhapa, Baitadi, Parasi, Taulihawa, Sheoraj, Banke, Dhudwa Pahad, Bardiya, Kailali, Kanchanpur, Papejoong, Illam, and Daschola.

Each amini katcheri had a small staff as indicated in Table VI.

Usually the police forwarded the papers of the case and the parties to the amini. The bicharis took statements and depositions. The hakim presided. The judgment pronounced was in most cases written out by the bicharis, who had a right to record a minute of

<sup>101</sup>Based on interview with Babu Ram Acharya and Subba Krishna Prasad Gautam.

<sup>102</sup>*Foreign Department Secret E*, September 1905, *op. cit.*, Progs. Nos. 1-4, para 3, NAI.

<sup>103</sup>*Ibid.*

dissent. In that case appeals could be made to the appellate court.

TABLE VI

Hierarchy of Officials and their Total Number in the Tarai Amini Katcheri

<i>Sl. no.</i>	<i>Officials</i>	<i>Total number</i>
1.	Hakim Subba	1
2.	Bichari	1 or more
3.	Nausinda	1 or more
4.	Bahidar	1 or more
5.	Sipahi	4 or more

*Source:* Based on data supplied by Babu Ram Acharya and Subba Krishna Parasad Gautam.

(v) *Other Addas*.<sup>101</sup> The tarai districts had some other minor offices as well. Unfortunately, not much information is available regarding their precise nature, staff and working, etc. However, it appears that some of these district offices were as follows:

*District Kumari Chowk* (audit and accounts office).

*Bazar adda* (or customs office) under the bazar hakim. It was only in tarai districts as they were close to the Indian border.

*Ban janch goswara* (forest office), under ranger hakim. It was mostly in the forest regions of the foothill area in the inner tarai districts to manage and protect the forests.

*Banaune adda* (PWD office), under overseer hakim, was first opened at Birganj by Juddha Shamsher in 1935, after the great earthquake of 1934. This office was set up for constructing buildings, roads, etc. The Samarganj Company also helped this office in road construction.

*Khat mahal adda* (timber office), under khat mahal hakim, for the sale of timber.

*Telephone adda* (telephone office), under a telephone hakim who usually had technical knowledge.

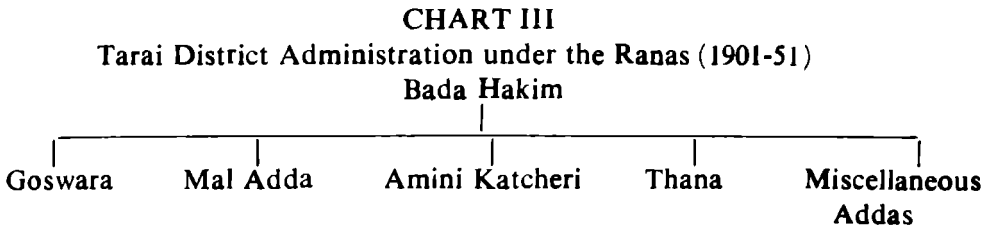
*Hulak adda* (post office), under hakim kharidar for postal work.

<sup>101</sup>Based on information gathered from various *Khadga Nishana Sanaas* and *Sawals* of 1902-1951 period available at the Ministry of Law library, HMG Nepal.

*Rail adda* (rail office), under station master and other staff in Birganj. It was opened by Chandra Shamsher in 1927, when the first railway was introduced in Nepal in the tarai area from Birganj to Amlekhganj.

*Ropeway adda* (ropeway office) under a hakim for the ropeway between Hetauda and Kathmandu to carry goods. It also was opened by Chandra Shamsher.

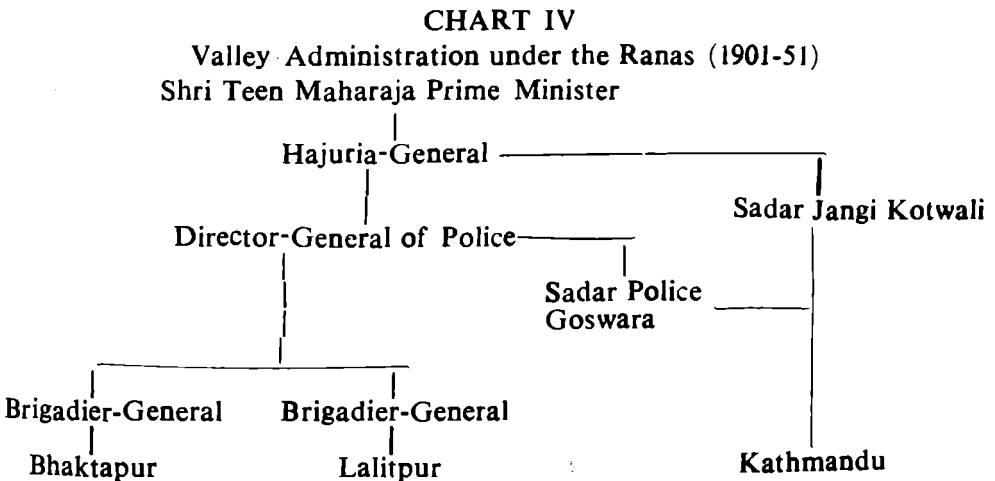
In short, the pattern of the tarai district administration was as shown in Chart III.



We shall now discuss the pattern of the valley administration.

*Valley Administration*<sup>105</sup>

Kathmandu valley, with an area of 394 square miles and a population of 367,010,<sup>106</sup> being a conglomeration of the Rana palaces and the seat of the Rana government and the country's nerve-centre, was centrally administered by the maharaja prime minister



<sup>105</sup>Based on information and data supplied by B.P. Khanal, Nand Lal Joshi and Babu Ram Acharya. Also *Buch Committee Report*.

<sup>106</sup>According to 1920 census. See *Buch Committee Report*, para 10, p. 6

acting through the hajuria-general under whom was the director-general of police and the two Brigadier-generals as is indicated in Chart IV.

The two Rana administrative offices, the sadar jangi kotwali and the sadar police goswara, played very important roles in the valley administration. But unfortunately, not much information is available about their exact organization, powers and functions. It is important to remember that all through the Rana period, Kathmandu valley was called Khas Nepal and no wonder that people coming from the pahad or the tarai districts needed *rahdani* (passport) to enter the valley.

(i) *The Civil Administration.* Information available from different sources suggests that two brigadier-generals, having all the powers of bada hakims or governors of hill districts, administered Bhaktapur and Lalitpur cities. They exercised control over the army and the militia, revenue administration, judiciary, treasury, municipality, water supply and fire brigade offices, prison, post office and temples. But owing to the nearness to the capital and easy transport and communications, flow of men and information, they were not "jang bahadurs" in these cities. They were responsible to the director-general of police for law and order and in general to the hajuria-general.

The capital city of Kathmandu was governed directly by the hajuria-general, who was head of the sadar jangi kotwali at Kathmandu.

The sadar jangi kotwali served both as the supreme administrative as well as judicial office for the valley. Its decisions were almost final. It was a court meant for trying petty cases (not a police station). A small force was attached to it for the execution of its orders. Appeal against its decisions lay directly with the maharaja prime minister. It also served as an anti-corruption court. The hajuria-general mostly decided cases orally and administered the three cities in the valley through this kotwali.

(ii) *The Police Administration.* Chandra Shamsher was the first Rana prime minister to set up a sadar police goswara in the valley at Kathmandu, through a khadga nishana sanad dated Paush 2, 1976 V.S.<sup>107</sup> The sadar police goswara was to look after law and

<sup>107</sup>Zilla Police Inspector Ko Sawal, 1976 V.S., Section 12, MLR.

order and deal with crimes committed in the valley. It was to work under the administrative control of the sadar jangi kotwali. Chandra Shamsher appointed one deputy superintendent of police, the first being Kunwar Shamsher Thapa Chhetri,<sup>108</sup> as head of the police office in the valley. But there was also a chief hakim, an important Rana, Major Captain Nar Narayan Shah, who was next to the hajuria-general, the most powerful and influential officer to control and supervise the police administration in the valley and in the tarai districts.

According to the zilla police inspector ko sawal, 1976 V.S., for police purposes the valley was organized into six thanas and 17 chowkis. These six thanas in the valley were located at:

(1) Chhetrapati	}	Kathmandu
(2) Asan		
(3) Kalbhairav		
(4) Jaisideval		
(5) Patan		Lalitpur-Patan
(6) Bhadgaon		

The first four thanas were directly under the sadar jangi kotwali. In general all the six thanas were under the sadar police goswara. The sanad mentions the names of two DSPs (Kunwar Shamsher Thapa Chhetri and Shiva Prasad Regmi). Out of these two, one DSP was to be officer-in-charge of the police posts in Kathmandu city and the other for areas outside Kathmandu city. Both worked under the chief hakim and the sadar police goswara.

The sadar police goswara at Kathmandu had a total number of 63 officials as indicated in Table VII.

Juddha Shamsher gave the valley police a police manual or a police code—the famous police goswara sawal, dated Paush 27, 1991 V.S.<sup>109</sup> This sawal runs into 210 sections listing in detail the duties of the valley police. These duties were similar to other police duties except that the curfew hours in Kathmandu from 12 P.M. to 4 A.M. were to be strictly implemented. For night movement, passes were issued by the sadar jangi kotwali and were checked by the valley police. The valley police had also to keep record of motor

<sup>108</sup>*Ibid.*

<sup>109</sup>*Police Goswara Sawal, 1991 V.S., HMG Nepal, D. No. 613, MLR.*

vehicles and other transport in the valley and register them, collect fees and regulate traffic. They had additional responsibilities of keeping safe the Rana palaces, statues, monuments, temples, the Narayanhiti Darbar and the Singha Darbar, enforce municipal laws, and collect the bills of the Chandra Jyoti Prakash Bijuli adda.<sup>110</sup> Section 155 of this sawal entrusted the police with a religious responsibility which was: “. . . to arrest those who convert a Hindu to other religion and thereby attempt to spoil Hindu religion. . . .”<sup>111</sup>

TABLE VII  
Hierarchy of Officials and their Total Number in the Sadar Police  
Goswara at Kathmandu

Sl. no.	Officials	Total number
1.	Chief Hakim (Major Captain)	1
2.	DSP	2
3.	Jamadar	4
4.	Havaladar/Amaladar	4
5.	Hudda	7
6.	Sipahi	43
7.	Naib Mukhia	1
8.	Nausinda	1
	} as office clerks	
	Total	63

*Source: Zilla Police Inspector Ko Sawal, 1976 V.S., Section 12, MLR.* This document mentions the name of Major Captain Nar Narayan Shah as Chief Hakim of the *Sadar Police Goswara*. The DSP was Kunwar Shamsheer Thapa.

Padma Shamsheer had set up a Nepal police director-general office<sup>112</sup> at Kathmandu to control and coordinate the activities of the valley and the tarai police.

(iii) *The Revenue Administration*.<sup>113</sup> The pattern of revenue administration in the valley was similar to that of other hill districts except that the mal addas here did not function as disburs-

<sup>110</sup>*Ibid.* Based on the various sections of this sawal.

<sup>111</sup>*Ibid.*, Section 155. This was provided in order to preserve the Hindu character of the state.

<sup>112</sup>*Police Superintendent Office Sawal, 2003 V.S., HMG Nepal, D. No. 974, MLR.*

<sup>113</sup>Based on *Pahad Bandobast Sawal, 1964 V.S., MLR*; and Naib Subba Hira Lal, *op. cit.*

ing offices. This function was done by other disbursing offices, such as kausi tosakhana, jangi bali talab, nizamati bali talab, etc.<sup>114</sup>

The mal adda at Kathmandu administered revenue collection and land records for Kathmandu, Lalitpur and Kirtipur. Bhaktapur had a separate mal adda.

As Table VIII will indicate, the valley mal addas had a hierarchy of salaried officials bearing the designations as given in Table VIII.

TABLE VIII  
Hierarchy of Officials and their Pay in the Mal Addas of the  
Kathmandu Valley, 1964 V.S.

<i>Sl. no.</i>	<i>Officials</i>	<i>Pay per annum in Nepalese rupees</i>
1.	Mal Subba	800
2.	Kharidar	500
3.	Mukhia	400
4.	Writer	314
5.	Bahidar	149
6.	Nausinda	120
7.	Tahluva	36

*Source:* Based on *Pahad Bandobast Sawal*, 1964 V.S., MLR.

The actual collection of revenue was made by the talukdars, as in other hill districts.

In other hill districts, land taxes could also be paid in kind. But in case of Bhaktapur, the Talukdari Regulation of 1935 prescribed in Section 16: "Except when the regulations specifically prescribe collections in kind or when the government is in need of payments in kind. . . collections shall not be made in kind even if the land-owners so desire."<sup>115</sup>

Due to nearness to the capital, land taxes were collected in cash only in Bhaktapur and Kathmandu revenue offices. The administrative burden on the revenue offices in the valley for collecting birta taxes, was shifted on 13 April 1923 to another office, called the pota registration office, created by Chandra Shamsheer in all the

<sup>114</sup>See "New Accounting System in Nepal," *The Nepalese Perspective*, Kathmandu, January 1969, Vol. V, No. 14, p. 16.

<sup>115</sup>*Bhaktapur Talukdari Regulation*, 1935, HMG Nepal, BGTR.

three districts of Bhaktapur, Lalitpur and Kathmandu. This arrangement was special to the valley.

The mal subbas worked under the general supervision and control of the brigadier at Bhaktapur and the muluki adda at Kathmandu.

(iv) *The Judicial Administration.* Kathmandu had two adalat addas, one for civil and the other for criminal cases. Bhaktapur and Lalitpur had one adalat adda each for both civil and criminal cases. Thus there were four adalat addas in the valley. They had similar powers and functions as other adalat addas in the hill districts.

(v) *Other addas.* Other offices in the valley were all those as were in other districts, with the addition of Chandra Jyoti Prakash bijuli adda,<sup>116</sup> Juddha varun yantra adda, Nepal museum, taksal adda, bhansar adda, batokaj adda, chidiyakhana, hospital adda, etc.

#### LOCAL ADMINISTRATION

On the basis of the first municipal sawal<sup>117</sup> of 1976 V.S., it could be said that the first limited experiment in local administration under the Ranas was made by Chandra Shamsher in 1919. This sanad seems to have given the first municipality to Bhotahiti Tole in Kathmandu. In its *rukka-daskhat-prasasthi* (preamble) were stated the objectives of the municipality: “. . . a municipal adda is hereby set up at Bhotahiti to get the roads, lanes, drains and Charpi (latrines) of the Dunia (commoners) cleaned. . . .”<sup>118</sup>

This sanad also laid down the structure of the municipal office. It was to consist of two houses—*mathilo phant* (upper house); and *tallo phant* (lower house). The former was to decide cases and look after general administration. The latter was to look after sanitation. Both houses were to have nominated members. A municipal hakim appointed by the Rana prime minister was made in-charge of the municipality. Other staff whose names are mentioned in the sanad included one bichari, one naib writer, one nausinda, two janchki, and one engineer. The sanad mentions an *ad hoc*

<sup>116</sup>Set up in 1958 V.S. by Chandra Shamsher.

<sup>117</sup>For details see *Municipal Office Ko Sawal*, 1976 V.S., HMG Nepal, D. No. 189, MLR.

<sup>118</sup>*Ibid.*



grant of Rs 1,538 made for the year 1976 V.S. for the salary and other miscellaneous expenses of this municipality. However, according to one Nepali source,<sup>119</sup> Bhotahiti municipality could not function properly as all the members were government nominees and under strict control of the prime minister. There was also lack of funds and a general apathy towards municipal affairs.

During the time of prime minister Bhim Shamsher, Kathmandu municipality of 18 members (ten appointed by the prime minister and eight elected by the people) was set up.<sup>120</sup> Out of the eight members, four came from Bhotihiti municipality and four from the Kathmandu city. Information about its powers and functions, sources of finance, and municipal staff, etc. is unfortunately not available.

A reference may also be made to a *panchayat sanad*<sup>121</sup> given by Bhim Shamsher in 1987 V.S. It authorized the setting up of gaon panchayats at nine places in the valley: Kathmandu, Lubhu, Sana Gaon, Harisiddhi, Khokana, Chhober, Patan Ilaka Bada Gaon, Bhat Gaon Ilaka Thimi, and Nakdes. This sawal placed each panchayat under a centrally appointed officer designated as mukhya panch. The preamble of the sawal stated the objectives of these panchayats: “. . . small disputes in the village must be settled in these Gaon Panchayats in the interest of the Dunia. . . Going to Adda Adalats for petty cases causes financial loss as well as loss of agriculture to the Dunia. . . so these Gaon Panchayats are hereby set up. . . .”<sup>122</sup>

It appears that these panchayats set up by the Ranas were more or less in the nature of judicial panchayats. Other members of the panchayats were to be centrally nominated. They were to be under the direct supervision and control of the Rana prime minister and the bharadari at the centre.

The panchayat sawal also mentions the two sources of income of these panchayats. They were: grants from the centre; and a fee

<sup>119</sup>Interview with Babu Ram Acharya.

<sup>120</sup>Based on an unpublished M.A. thesis, “The Rise and Fall of Rana Regime in Nepal, 1846-1951,” submitted by M.R.R. Bhandary to the Lucknow University, Microfilm copy available in the Library of the Indian Council of World Affairs, New Delhi.

<sup>121</sup>*Panchayat Sanad*, 1987 V.S., HMG Nepal, D. No. 411, MLR.

<sup>122</sup>*Ibid.*

called “baksauni” to be charged for all cases decided.

It appears from a *dui chhape sanad*<sup>123</sup> of Bhim Shamsher that these nine panchayats were actually set up and functioned as local judicial units of valley administration.

It may be easily inferred from the above facts that (i) these *Panchayats* were really panchayati adalats and not units of rural local self-government; (ii) they were strictly confined to Kathmandu valley; and (iii) they were nominated by the Rana prime minister and not elected by the villagers.

The first experiment in a limited elected municipal government was however made by Padma Shamsher in June 1947 when the Kathmandu municipal elections were held in the city's 21 wards.<sup>124</sup> A few Independents and sympathizers of the Nepali Rashtriya Congress were also elected to Kathmandu municipality. Kathmandu had now a municipal *goswara* office.

Later, the Rana Constitution of 1948<sup>125</sup> provided for the establishment of the panchayat system all over Nepal. The gram panchayat was to have five to 15 elected members. The nagar panchayat was to have ten to 50 elected members. The chairmen of the gram and nagar panchayats were to elect a zilla panchayat of 15 to 20 members. However, the rules for election, etc. could not be framed and the Constitution could not be implemented. Later, Mohan Shamsher, perhaps under pressure, enacted the *gaon panchayat ko ain, 2006 V.S.*<sup>126</sup> and appointed Lieutenant Colonel Subrna Shamsher to arrange the elections for these panchayats.<sup>127</sup> But it was too late as Nepal was on the threshold of a revolution during 1950-51. So these panchayats could not be set up.

Summing up, it may be said that municipalities and panchayats as units of local self-government could not be set up in Nepal during the Rana regime. However, some limited efforts were first made by Chandra and Bhim, and later, by Padma and Mohan, in this direction but these were only confined to the valley. Actually, under the autocratic Rana political system, and in the Rana philo-

<sup>123</sup>*Dui Chhape Sanad*, Falgun 2, 1989 V.S., tagged with D. No. 411, MLR.

<sup>124</sup>See *Gorkhapatra*, Jaith 24, 2004 V.S.

<sup>125</sup>For details see Chapter V.

<sup>126</sup>*Gaon Panchayat Ko Ain*, 2006 V.S., Kathmandu, Gorkhapatra Press, 2006 V.S.

<sup>127</sup>*Ibid.*

sophy of government, free local institutions had no place.

We shall now refer to the traditional rajya-rajauta system and the district administration in Nepal during the period.

#### TRADITIONAL RAJYA-RAJAUTA SYSTEM

Parallel to the district administration ran the rajya-rajauta system in the hill districts. The rajya-rajauta system included 24 vassal states under the old rajas scattered over the western hill districts. They collected land revenues through talukdars and deposited a fixed percentage with the mal addas. They exercised judicial powers through their own system of courts. These old rajas of pre-Gurkha Nepal jealously guarded their rights and privileges and exploited local people. Therefore they frequently posed problems for the district administration. They retained certain rights and privileges under royal charters of the Shah kings. These charters were, however, renewed whenever there was a change in succession to the throne in the states.

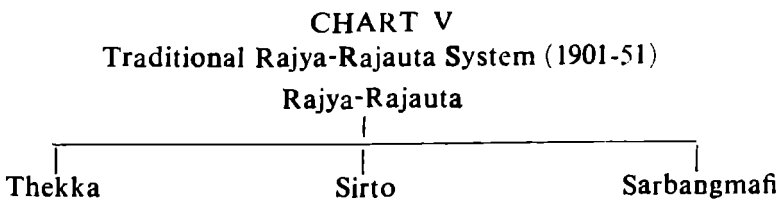
Broadly speaking, these feudal states were of three types:<sup>128</sup> thekka, sirto, and sarbangmafi.

The thekka type (Garhankot and Gulmi) were on thekka (contract) so far as land revenue was concerned. The central government could terminate thekka in case of default in payment of instalment of the revenue.<sup>129</sup>

The sirto type (Bajhang, Thalahara, Khumrikot, Calkot, etc) paid sirto (annual tribute) to the central government.

The sarbangmafi type (Bhirkot, Parbat, and Bajaura) enjoyed all land revenues within their areas, except raikar land. They were sarbangmafi (totally exempted or pardoned) states.

In short, the rajya-rajauta system, running parallel to the Rana district administration, had the make-up as shown in Chart V.



<sup>128</sup>For details see Mahesh C. Regmi, *Land Tenure and Taxation in Nepal*, 1963, Vol. I, p. 150

<sup>129</sup>*Doti Ra Achham Mal Ko Sawal*, Section 20, MLR.

On the whole, taking a little closer look at the district administration during the period, it could be said that the main purpose was to maintain law and order and collect land revenue. To achieve this end, the Ranas developed the framework of a district administration through the office of bada hakim (or governor), with his headquarters at goswara or gaunda or garhis. The main organs of district administration, as they evolved, were the executive under the bada hakim; the police under SP or DSP; the revenue under the mal hakim and the judiciary under the adalat or amini hakim. The bada hakim, during the whole Rana period, was the government's principal representative in the area, occupying a pivotal position like the district officer in British India<sup>130</sup> called "deputy commissioner" or "collector" or "district magistrate" and like the prefect in the French departments (provinces). Much like the French prefects, who were also called the "little Corsicans," the Nepalese bada hakims were known as the "jang bahadurs" in their areas.

We shall now deal with personnel administration, institutions and practices, and the financial administration of the Ranas.

<sup>130</sup>For the details of the district administration in India see: S.S. Khera, *District Administration in India*, Bombay, 1964. Also K.N.V. Shastri, *Principles of District Administration in India*, Delhi, 1957.

## *Chapter IV*

# Personnel and Financial Administration under the Ranas—1901-51

The preceding chapter has given us an idea of how a highly centralized administrative system of the Ranas conducted its business through more than a dozen major and some 57 minor departments (goswaras, addas and khanas) at the seat of the central government at Kathmandu.<sup>1</sup> These departments and offices employed a hierarchy of officials. In addition to these officials, in the districts outside Kathmandu there were a host of personnel working in the various offices.

Yet Nepal had no civil service system as such during the whole Rana period. There was no proper job classification or position classification or uniform pay scale for the same job or uniform method or authority for recruitment and dismissal of staff, or any job security. In short, the personnel administration was in a feudal, anachronistic and chaotic state.

The same was the case with financial administration, and no budget was ever framed during the 104 years of Rana rule. The maharaja prime minister alone decided as to the items of expenditure and the amount to be spent, the accounts to be kept and checked, etc. and comfortably pocketed the surplus of the revenue over the expenditure.

For a fuller understanding of the Rana administrative system we need to discuss briefly the traditional concept and practice of both the personnel and the financial administration of the Ranas during the period under study.

<sup>1</sup>For details see Chapter II.

## PERSONNEL ADMINISTRATION

The main characteristic of the period was that not only the key positions in the state but even the lower posts of administration of any importance were the absolute privilege of the Rana family. It was quite exceptional for outsiders to get posts of influence.

(a) *Salient Features.* We shall now refer to some of the salient features of the Rana personnel administration. They may be said to be as follows: (i) Although the word of the Rana prime minister was law (*mukhe ain*) and all recruitment was done by the authority of the prime minister, in actual practice the next brother (*mukhtiyar* or Chief Saheb) was the *de facto* head of personnel administration.<sup>2</sup> Together they appointed, dismissed and punished civil servants as they liked.<sup>3</sup>

(ii) Each government servant had to part with a percentage of his salary every month as *salami* to the prime minister and to the Chief Saheb. At the time of appointment he had to offer some money in cash to both the prime minister and the Chief Saheb as *darshan-bhet*.<sup>4</sup> Then only his name could be put on the pay roll (*darta*). *Darta*<sup>5</sup> followed *darshan-bhet*.

(iii) *Darta* (registration) of all government servants in the *commandari kitab khana*<sup>6</sup> was essential. Otherwise no government servant could draw his pay. A certificate was issued by this office in the name of each government servant that his name appeared in the register. Only then did he receive his pay.

(iv) There was a clear distinction between the rulers and the ruled—the Ranas and the non-Ranas—in the services. Not a single civil department had a non-Rana head.<sup>7</sup> Between the Ranas, the closer the relationship with the Rana prime minister the higher the post and the better the salary. Among the non-Ranas, the tarai people had a positive disadvantage in recruitment. Posts were given mostly to the hill people and among them to the Kshatriyas and

<sup>2</sup>“Jagirdar Bahali Barkhasi Ko,” *Muluki Ain, op. cit.*, Vol. II, Section 3.

<sup>3</sup>*Ibid.*

<sup>4</sup>For details see *Commandari Kitab Khana Darshan Ra Darta Phant Ko Sawal*, 1973 V.S., Monday, Sawan 10, MLR.

<sup>5</sup>*Ibid.*

<sup>6</sup>*Commandari Kitab Khana Ko Sawal*, 1973 V.S., Sunday, Aswin 30, MLR.

<sup>7</sup>D.R. Regmi, *A Century of Family Autocracy in Nepal*, 1958, Nepal, p. 7.

the Brahmans. The local newars were discouraged to take up appointments in government posts, both civil and military.

(v) All key posts in the army were held by the Ranas. Being military in structure, the government discriminated between the army and the civil employees as regards pay, position and powers. Obviously, the military personnel carried better pay and prestige during the whole Rana period.

(vi) Two offices (*hazari goswara*<sup>8</sup> and *adda janch*) during the whole Rana period created havoc and terror amongst the personnel. *Hazari goswara* as we have seen was responsible for checking the attendance of government servants in all the offices. Government servants received pay only after getting a clearance certificate from this office.

*Adda janch* inspected work of all government offices.<sup>9</sup>

(vii) Another feature of the personnel system was the annual purge, or "a legal revolution,"<sup>10</sup> or annual confirmation<sup>11</sup> (called *pajani*) of each government servant in the service of any department either at the centre or in the districts, either towards civil (*nizamati*) or military (*jangi*) or judicial (*adalati*) side. *Dasain* (in September-October) thus used to bring joy to many and sorrow to many amongst the personnel. All government servants ceased to hold the post every year automatically, unless reappointed.

(viii) The personnel was paid a salary "sometimes from Treasury and sometimes from Granary"<sup>12</sup> and sometimes partly in land and partly in cash. Chandra Shamsheer initiated cash payment.<sup>13</sup> Still he could not succeed in eliminating the payment in land as well. Both the systems of payment continued until 1951.

(ix) There was no social security for civil servants. In very rare cases pension or gratuity was granted, if the prime minister so desired.<sup>14</sup>

<sup>8</sup>*Nizamati Hazari Goswara Sawal*, 1981 V.S., MLR.

<sup>9</sup>*Adda Janch Ko Sawal*, 1970 V.S., MLR.

<sup>10</sup>Sylvain Levi, *Nepal*, Paris, Vol. I, p. 367.

<sup>11</sup>Mangal K. Shrestha, *A Handbook of Public Administration in Nepal*, HMG Nepal, Department of Publicity, Ministry of Panchayat Affairs, March 1965, p. 55.

<sup>12</sup>Tuker, *Gorkha: The Story of the Gurkhas of Nepal*, London, 1958, p. 276.

<sup>13</sup>*Okhaldhunga Revenue Regulations*, 1934. See Section 45, MLR.

<sup>14</sup>Interview with Babu Ram Acharya.

(x) The personnel was only to “execute the orders blindly,”<sup>15</sup> incurring the minimum possible expenditure.<sup>16</sup> Any innovation or suggestion or moral courage shown by the staff, senior or junior, was “pushed down by the dictatorial power of the Prime Minister,”<sup>18</sup> and was always looked upon with suspicion by the tradition-oriented administration.

(xi) The merit principle for promotion was unknown. The basis for promotion was seniority, that is length in public office, not age as such. But the most important basis was loyalty to the Rana prime minister.<sup>1</sup>

(xii) Since the ultimate power of recruitment, promotion, transfer, dismissal of all civil servants and the vast patronage as such, vested with the Rana prime minister, who was the ultimate executive, legislative and judicial head, there was no provision for an independent statutory institution, like a public service commission during the Rana regime. Though “there was a legal provision for open competition, it seldom happened.”<sup>18</sup>

In short, personnel administration during the period was a typical example of despotism and nepotism, and “centralization and concentration of power.”<sup>19</sup> It exhibited the traditional traits of tutelage and sinecurism.

(b) *Legal Framework.* No wonder that from Chandra Shamsher to Mohan Shamsher very few rules and regulations were passed to govern the Rana personnel administration.

In fact, the two chapters of the *Muluki Ain*<sup>20</sup> in some 50 sections determined, to some extent, the legal framework of the personnel administration.

<sup>15</sup>B P. Khanal, “Personnel Management in Nepal Civil Service—Some Suggestions,” Manchester University, unpublished M.A. Thesis, May 1963, p. 3. Made available to this author by B.P. Khanal.

<sup>16</sup>Himsworth, *The Fiscal System of Nepal, etc.* UNTAO, Kathmandu, 1959, para 4, p. 1.

<sup>17</sup>Walter Fischer, “Personnel Administration in Nepal: Final Report,” Kathmandu, UNTAA, October 1958, script, p. 2.

<sup>18</sup>B.P.Khanal, “Personnel Management in the Nepal Civil Service,” script, p. 3.

<sup>19</sup>Ram C. Malhotra, *Decentralisation of Public Administration in Nepal*, HMG Nepal, Ministry of Information and Broadcasting, June 1966, p. 2.

<sup>20</sup>See *Muluki Ain*, Gorkhapatra Press, Kathmandu, Vol. II, Part 24, Sections 1 to 24.



Very little protection was given to the civil servants. As stated earlier, since the whole governmental machinery and the personnel, in practice, meant "total subjection to...one individual,"<sup>21</sup> it also meant the total responsibility and accountability of the personnel to one master—the Rana prime minister.

Section 4 of the *Muluki Ain* clearly illustrates this point. It states very clearly: "Without the order of the Prime Minister no post should be filled in . . . Even *Hudda* or *Sipahi* should not be appointed. . . . If any one is appointed by any *Hakim* without Prime Minister's authority then let that *Hakim* pay the salary and other expenditure over such appointed and not the Government. . . ."<sup>22</sup>

The usual administrative practice was that the conditions of service, pay and allowances of the staff were laid down in each khadga nishana sanad, issued by the prime minister for each specific function to be performed. So, naturally, it varied from sanad to sanad.

In the absence of any manual on personnel or a common legal framework or code, the Rana civil service exhibited very low morale, which was heightened by low pay, a sense of insecurity and fear of the Ranas.

(c) *System of Recruitment.* The Rana personnel could be classified into three broad categories:<sup>23</sup> *nizamati* (civil personnel), *jangi* (military personnel), *adalati* (judicial personnel).

Recruitment to all these three categories was done in the name and by the authority of the Rana prime minister. The government servant in all these three categories was called jagirdar.<sup>24</sup>

The recruitment of all jagirdars was in actual practice under the mukhtiyar<sup>25</sup> who ensured that all such men were loyal to the Rana regime and were competent. It was he who took them to the prime minister along with a list of the new appointees and arranged their darshan bhet and registration in the commandari kitab khana.

The pay of the jagirdars was to be sanctioned in each sanad and a copy sent to the commandari kitab khana. Government offices

<sup>21</sup>D R. Regmi, *op. cit.*, p 7.

<sup>22</sup>*Muluki Ain*, Vol. II, Part 24, Section 4.

<sup>23</sup>Based on interview with Subba Parmeshwar Man Shrestha and Subba Krishna Prasad Gautam and a study of the various khadga nishana sanads.

<sup>24</sup>"Jagirdar Bahali Barkhasi Ko," *Muluki Ain, op. cit.*, Vol. V, Section 1. "Jagirdar" means one who held a *jagir* or government post.

<sup>25</sup>*Ibid.*, Vol. II, Part 24, Section 3.

in the valley and outside in the districts, both hills and plains, were to give the pay to the staff as mentioned in each sanad. If they disbursed the amount more or less, they were to be punished so that the government incurred no financial loss.<sup>26</sup>

If a new recruit to the civil service 'could not be fixed up in any office he was to attend the mukhtiari dalan until he got his posting.<sup>27</sup> But if he absented for more than 16 days and did not attend mukhtiari dalan then his post could be declared vacant.

No one from outside Nepal (*berana raj*)<sup>28</sup> could be appointed to any government post without specific scrutiny and investigation by the prime minister and his specific order for such appointment.<sup>29</sup>

Only those who completed 16 years of age and were Nepalese citizens could be appointed to government jobs.<sup>30</sup>

Section 5A of the *Muluki Ain* laid down: "A Government Servant could be dismissed any time without any reason assigned whatsoever, where corruption or misuse of power or impersonification was suspected."<sup>31</sup>

To put the matter positively, it appears that the appointments towards the civil and judicial side were made by the mukhtiyar with the authority of the prime minister. Towards the jangi (military) side the appointments were actually made by the jangi lat who as we have seen was the real head of the army and the jangi bandobast adda. But all such appointments were subject to confirmation by the prime minister and the mukhtiyar.

(d) *Classification*. As stated earlier, broadly speaking the Rana personnel could be classified into three categories: nizamati, jangi and adalati. Out of these three categories, the most important was the jangi. So the *Muluki Ain* in its Section I puts the jangi at the top, then it puts the nizamati. Adalati was lowest in ranking. It may be said that some of the Rana officials were common to all the three categories (sipahi) and some were specially meant for one or the other category (bichari and ditha were exclusively judicial personnel).

<sup>26</sup> *Ibid* , Section 6.

<sup>27</sup> *Ibid.*, Section 8.

<sup>28</sup> *Ibid.*, Section 4.

<sup>29</sup> *Ibid.*, Section 4.

<sup>30</sup> *Ibid.*, Section 5.

<sup>31</sup> *Ibid.*, Section 5A.

*Nizamati personnel:* Table IX gives the hierarchy of government servants towards the nizamati (civil) side together with their approximate pay. The nizamati personnel was divided into as many as 15 categories mostly having Persian (Mughal) designations.

TABLE IX  
Hierarchy and Pay of Nizamati Personnel under the Ranas

<i>Sl. no.</i>	<i>Designation of officials</i>	<i>Approximate pay per annum in Nepal currency (rupees)</i>
1.	Bada Kaji	9,000
2.	Kaji	6,400
3.	Sardar	4,000
4.	Mir subba	2,700
5.	Subba	1,800
6.	Naib subba	1,400
7.	Kharidar	800 to 1,000
8.	Ditha	800 to 1,000
9.	Naib ditha	700
10.	Mukhia	500 to 650
11.	Naib mukhia	360
12.	Writer	400
13.	Naib writer	300
14.	Bahidar	278
15.	Nausinda	204

*Source:* Based on *Buch Committee Report*, para 43, page 18. Also various sanads, sawals and ains of the Rana period.

As the above table indicates, first, the pay of all categories of nizamati personnel was very low, and secondly, the highest a non-Rana could aspire to go in the administrative ladder was the post of bada kaji<sup>32</sup> which carried Rs 9,000 annually.

*Jangi personnel:* The hierarchy of personnel towards the jangi (military) side, included<sup>33</sup> general, major-general, lieutenant general, colonel, major colonel, lieutenant colonel, major captain, captain, lieutenant, 2nd lieutenant, subedar, jamadar, havildar or hudda, leci (or lekhan sipahi) and sipahi.

<sup>32</sup>Manik Lal, a non-Rana had reached this post and was called Bada Kaji Manik Lal. See his *Rana-haru-Ko-Nizamati Shasan Pranali*.

<sup>33</sup>Based on interview with Subba Parmeshwar Man Shrestha and Subba Krishna Prasad Gautam and a study of the various khadga nishana sanads

The details of their pay and precise duties are not available.

In the military office, they had also kharidar, bahidar, amaladar, naike, pipa and khalasi. The pipas were under the administrative control of the pipa goswara.

As already stated, the military staff did civil work also and held high posts in the civil administration. For example, the heads of many big administrative departments were the Rana generals, called director-generals.

One interesting feature of the military personnel was that Rana boys were appointed generals or colonels soon after their birth and sometimes even before. They were known as "boy generals" and "toy generals." In any case, all the key military posts went to the Ranas only. On the whole, the military personnel was treated fairly and generously, had more pay and enjoyed better prestige than civil or judicial personnel in the military regime<sup>34</sup> of the Ranas.

*Adalati personnel:* The hierarchy of the personnel towards the adalati (judicial) side, included<sup>35</sup> judge, sardar, subba, naib subba or laftan, ditha, naib ditha, bichari, mukhia, naib mukhia, writer, naib writer, bahidar, leci, sipahi and tahluva.

The details of their pay and precise duties are not available. But the staff common to the nizamati and adalati sides got approximately the same pay as mentioned earlier.

Till 1951, the separation between the nizamati and adalati services was very thin. In order of precedence, however, the judicial service was at the bottom and its personnel had the lowest pay.

(e) *Working Conditions.* The Rana prime minister had a "pecuniary interest in keeping public expenditure to a minimum"<sup>36</sup> and consequently administrative activities to the minimum. In this situation and the philosophy of Rana administration, the working conditions of personnel were obviously awfully miserable.

To quote Himsworth, "salaries and wages were low and the number of Government employees kept as few as possible."<sup>37</sup> The salaries were never paid regularly every month and seldom on the

<sup>34</sup>Tuker, *op. cit.*, p. 276.

<sup>35</sup>Based on interview with Subba Parmeshwar Man Shrestha and Subba Krishna Prasad Gautam and a study of the various khadga nishana sanads.

<sup>36</sup>Himsworth, *op. cit.*, para 4, p. 1.

<sup>37</sup>*Ibid.*, para 4, p. 6.

first day. The working hours of the non-Rana personnel were long and tiring. They had to work under constant watch, suspicion, threat and tension.

Administrative offices were widely scattered all over the valley in the palaces of various Ranas on the roll, with obvious inconvenience to the staff.

There was no uniform system of leave and no medical facilities.<sup>38</sup> Leave could be granted to a government servant but only through *bada patra sanad*.<sup>39</sup>

But in practice, however, leave was very rarely granted. During the leave period, the government servant lost his pay unless otherwise ordered. The copy of the *bada patra* sanctioning leave was to be sent to the *commandari kitab khana* within three days of the order received by the government servant.<sup>40</sup>

The offices were strictly warned against keeping surplus hands. After periodical checking surplus hands could be dismissed and a list sent to the *mukhtiyar* for his perusal.<sup>41</sup>

The Rana law insisted on the declaration of the caste of the government servant which, according to the *Muluki Ain*, "must be registered with *Commandari Kitab Khana*."<sup>42</sup>

Thus the impression gained is that the personnel system of the Ranas was traditional, medieval and caste-dominated.

The liberal attitude of some of the Rana prime ministers (Deva Shamsher and Padma Shamsher) towards the staff met with stiff opposition from the diehards of the system (Chandra and his son Mohan).

What we have stated above really amounts to the non-existence of a civil service system in the modern sense in Rana Nepal.

<sup>38</sup>Babu Ram Acharya, the blind historian, told this author that he was working as *Subba* under Chandra Shamsher. He had eye trouble (suspected glaucoma). Neither leave nor any financial aid was given to him for medical treatment. So he lost his eyes due to lack of medical aid and money. When he lost his eyes he was declared useless by the Rana Government and dismissed from service. He said other government servants had the same fate.

<sup>39</sup>"Jagirdar Bahali Barkhasi Ko," *Muluki Ain*, Vol. II, Section 9.

<sup>40</sup>*Ibid.*

<sup>41</sup>*Ibid.*, Section 7.

<sup>42</sup>*Ibid.*, Section 18.

## PERSONNEL PRACTICES AND INSTITUTIONS

Some important but interesting and peculiarly traditional personnel practices and institutions of the Ranas which had their impact on the general administration as well during the period, need special treatment. These institutions and practices could be identified as those of pajani, chakari, salami, nazarana, darshan-bhet, tekka, sarvasva-haran, jagera and pan-phool or pan-supari or pan-patti. As we examine each we shall find that they were essentially medieval, feudal and traditional practices with a demoralizing and corrupting influences on the Rana personnel and general administration. Obviously, they served as the greatest impediments to the efficiency of the Rana administration. What is deplorable is that some of these evil practices and institutions continued even after the 1950-51 revolution and continue till today as a historical hang-over.

*Pajani*: We may begin by referring first to the institution of pajani. As Sylvain Levi observes:

Nepal is, every year, on the eve of a legal revolution. All the employments are annual; beginning from the prime minister to the humblest soldier, all await, the 'pajani' or 'panjani' which must either confirm or reject them brutally from the service of the State. This ceremony which periodically accompanies the festival of the Dacarha (or Dasain, in September-October) grants beforehand an initial delegation of the royal rights. The Great Council is at first constituted, as an immediate emanation of the royal authority; and it is he who reviews the conduct of officials, pronounces on their fate, distributes rewards and punishment. The strongest party at the time of the pajani, is then duty bound and capable of clearing the board of others; it is free to fill up exclusively all the employments with its only members and to show no fault whatever.<sup>43</sup>

This in short is what pajani meant. Historically, the institution of pajani existed even before the Rana period. It may be remembered that at one of these pajanis, in 1837, Bhim Sen Thapa was abruptly dropped and dismissed as mukhtiyar by King Rajendra.

<sup>43</sup>Sylvain Levi, *op. cit.*, Vol. I, pp. 367-68.

Earlier, all Thapas were thus abruptly dismissed by the king. It was a peculiar weapon in the hands of the Shah kings "to change the character and composition of the government."<sup>44</sup>

The innovator of the Rana system, Jang Bahadur, had used this device, after the famous Kot massacre and his appointment as prime minister, as an opportunity of turning out of office "all whom he suspected of disloyalty or disaffection, and of appointing and promoting all his friends and followers."<sup>45</sup>

In 1901 the consolidator of the Rana system, Chandra Shamsher, had to dismiss those who lost the prime minister's favour and confidence. During the whole Rana period pajani continued as an important power and prerogative to hire and fire both the civil and military personnel and use it as an administrative device for the annual screening of all government servants.

Pajani, as it came to stay, may be variously defined as the "period for the reorganisation of the public service"<sup>46</sup> when "all Departments of government are completely overhauled and reorganised"<sup>47</sup> "the annual renewing of all appointment,"<sup>48</sup> the practice by which "the services of all officers of the State from top downward were reviewed, renewed or terminated,"<sup>49</sup> a "system of scrutiny"<sup>50</sup> for all government employees, who continued their appointments on a year to year basis and were responsible to the prime minister.

During the Rana period, this power of pajani changed hands from the Maharajadhiraj Shri Panch to the Maharaja Shri Teen. Previously, even the mukhtiyar (prime minister) was subject to pajani.<sup>51</sup>

The annual pajani did not mean that the prime minister could not appoint or dismiss or promote officials during the year. He

<sup>44</sup>Satish Kumar, *Rana Polity in Nepal*, Bombay, 1967.

<sup>45</sup>P.J.B. Rana, *Life of Maharaja Jung Bahadur of Nepal*, 1909, Allahabad, p. 81.

<sup>46</sup>*Ibid.*

<sup>47</sup>*Ibid.*

<sup>48</sup>P. Landon, *Nepal*, 1928, London, Vol. II, p. 159.

<sup>49</sup>A. Gupta, *Politics in Nepal*, 1964, Bombay, p. 14.

<sup>50</sup>Joshi and Rose, *Democratic Innovation in Nepal*, etc., 1966, Berkeley, p. 38.

<sup>51</sup>Sylvain Levi, *op. cit.*, Vol. I, p. 367.

had absolute power over the staff while the staff had none. Any employee could be abruptly dismissed any time without any reason assigned.

Pajani provided a formal and routine review every year of all government appointments. The pajani list called "pajani kagaz" (an annual scrutiny list) was prepared in each department of the Rana administration, both at the centre and in the districts by departmental heads. It went to the mukhtiyar in the muluki bando-bast adda. After his comments, all the lists went to the Rana prime minister for his final disposal.

The commandari kitab khana, which arranged darshan-bhet and darta of all government servants and which was directly under the mukhtiyar, actually prepared the pajani kagaz.<sup>52</sup> Perhaps it did so also because it was a confidential record office and maintained a "character roll" of all state employees.

Pajani, according to the commandari kitab khana ko sawal,<sup>53</sup> came yearly but at different periods for different categories of state employees, from mukhtiyar down to the ordinary tahluva. The first pajani kagaz included the C-in-C, guru purohit, bhattwal and bhai bhardar. The second, of high non-Rana officers and others (bada kaji, bada hakim, etc.) and the third, of the military personnel (from jangi lat down to the ordinary soldier).<sup>54</sup>

Thus, it could be said that pajani was of three kinds<sup>55</sup> viz. (i) thulo pajani for bharadars and high Rana officers; (ii) jangi pajani for military officials; and (iii) hakim pajani, for all officials.

Pajani had four aspects<sup>56</sup> for all the state employees. They were: (i) *khosuwa* (dismissal); (ii) *thamauti* (confirmation); (iii) *saruwa* (transfer); and (iv) *badhuwa* (promotion).

During pajani an employee could either be confirmed in his post or dismissed or transferred or promoted. Every pajani was followed by *bharna* (new appointments) through the darshan-darta system.<sup>57</sup>

<sup>52</sup>See *Commandari Kitab Khana Ko Sawal*, 1973 V.S., MLR.

<sup>53</sup>*Ibid.*

<sup>54</sup>*Ibid.*

<sup>55</sup>For details see *Commandari Kitab Khana Ko Sawal*, 1973 V.S., Sections 1 to 28, MLR. Also based on information given by Subba Sachhi Gopal Das Vaidya of Kausi Tosakhana

<sup>56</sup>*Ibid.*, Section 3.

<sup>57</sup>For details see *Commandari Kitab Khana Darshan Ra Darta Phant Ko Sawal*, 1973 V.S., MLR.



The kitabi subba<sup>58</sup> or subba of the kitab khana and muluki subba<sup>59</sup> or subba of the muluki bandobast were important officers who mattered in pajani and hence their posts throughout the Rana period were considered crucial, were coveted and went only to trusted men.

The system of pajani obviously enabled the Rana prime minister to strengthen his position and authority. It had one negative virtue also. It kept the staff under very strict control and obedience of the Ranas. It also enabled the Ranas to maintain an efficient administration and effect economy in administration and thus add to government savings.

But the system reduced the whole Rana administration to a typical Indian zamindari concern, the state employees being treated as private domestic servants, living in perpetual terror and uncertainty and resorting to the meanest kind of flattery to retain their posts.

*Chakari.* Commenting on the Rana practice of chakari, Goodall observes: "There was no in-grade salary increments, and promotion was based wholly on chakari and seniority. Chakari was distinctive, highly developed practice of Rana administration whereby civil servants paid formal obeisance to their seniors. . . ."<sup>60</sup>

Historically, the system of chakari was older than the Ranas as it existed during the time of Bhim Sen Thapa.<sup>61</sup> It appears that the Ranas continued this institution as it ensured loyalty and flattery to them. The prime minister, down to the small departmental head or office head, held almost every morning or evening a darbar which was attended by all state employees immediately subordinate to him. They collected to flatter the boss. Those who absented long or avoided meeting and flattering the bosses ran the risk of losing their jobs at the time of pajani.

Hence all civil and military officials took recourse to chakari to retain their posts and to speed up promotion. Sometimes a government servant had to wait for hours for the senior to appear. Some-

<sup>58</sup>See Section 26 of the *Commandari Kitab Khana Ko Sawal*, 1973 V.S., MLR.

<sup>59</sup>*Muluki Bandobast Adda Sambandhi Bant Phant Ko Sawal*, 1980 V.S., MLR.

<sup>60</sup>Merrill R. Goodall, report on "Administrative Change in Nepal," p. 610.

<sup>61</sup>Babu Ram Acharya.

times chakari took the form of personal service to the superior in order to please him and get promotion. This practice also continued even after the 1950-51 revolution.

*Salami.* The Rana prime minister held a darbar on the tenth day of the Dashara festival in which all high officers of state, both civil and military, collected to make their formal salami and presented small cash gift to the prime minister and his next brother, the mukhtiyar and Chief Saheb.

Major W.B. Northey in his account of Maharaja Juddha 'Shamsher's rule, gives a reference to this practice of salami (usually held in the morning):

This morning *Salam* has become an institution in the country having probably been imported from the custom of the Moslem Emperors of India, with which it has many points in common, and provides an opportunity for those who cannot do so through the ordinary channels to approach His Highness."<sup>62</sup>

Salami was meant for the Rana prime minister and the Chief Saheb and others very senior rollwallah Ranas. It was also another form of chakari, though sometimes it provided a means to ventilate many grievances and get redressal.

According to a Nepali subba: "Every *Jagirdar* had to pay *Salami* to both the Prime Minister and the *Chief Saheb (Mukhtiyar)* at the rate of rupee one per month paid to each of them. This amount was deducted from the *Jagirdar's* salary every month on instructions from *Kitab Khana* to *Kausi Tosakhana* and the money so collected went straight to the two brothers (the Prime Minister and the *Mukhtiyar*). The *Salami* money was collected with all harshness and strictness."<sup>63</sup>

Satish Kumar also confirms this view. According to him, "this *Salami* was a sort of tax levied on the soldiers by their master."<sup>64</sup> The amount of salami varied according to ranks, but it was com-

<sup>62</sup>W.B. Northey, *The Land of the Gurkhas or the Himalayan Kingdom of Nepal*, Cambridge, 1938, pp. 87-88.

<sup>63</sup>As Subba Sachhi Gopal Das Vaidya told this author in the course of an interview.

<sup>64</sup>Satish Kumar, *op. cit.*, p. 92

pulsory. This evil practice was abolished after the 1950-51 revolution.

*Nazarana.* It was also known as nuzzer<sup>65</sup> which literally means "sight or thing seen." It was usually offered in gold mohars (or cash) to the king, the queen or the prince during Shah rule and to the prime minister and other Ranas during Rana rule, by way of respect shown or flattery of the chief.

Later on, the practice meant giving presents in cash or kind to the Rana chiefs and other heads on such occasions as festivals or marriages at the boss' house. Later, it also used to be deducted from the salary of the staff as a sort of feudal dues or collections.<sup>66</sup>

*Darshan-bhet.* During the time of appointment, each candidate was taken physically to the Rana prime minister for his darshan. The candidate had to offer, valued according to the post and pay it carried, a cash present to the prime minister. The practice was called darshan-bhet. As indicated earlier, Chandra Shamsher, through a sanad,<sup>67</sup> gave this practice legal sanction and divided the kitab khana into two separate sections, one dealing with darshan (called "darshan phant") and the other with darta (called darta phant). Only after this ceremony of darshan-bhet was over was a person appointed and registered in the kitab khana.

The practice of darshan-bhet strengthened the authority and ensured the loyalty to the Rana prime minister of each and every staff in government service. It also meant, for the prime minister, an additional source of income.

*Tekka.* Previously the king and later the Rana prime minister, confirmed the caste and position of officers who made salami to them, followed by a small present of cash (nazarana) by touching their foreheads, "and so investing them with what is called the *tekka* or caste-mark."<sup>68</sup>

*Sarvaswa-haran.* It was a typical feudal institution through which the Rana prime minister deprived a government servant of all his property (cash and kind) usually on the charges of his being corrupt

<sup>65</sup>P.J.B. Rana, *op. cit.*, p. 79.

<sup>66</sup>Based on interview with Subba Sachhi Gopal Das Vaidya.

<sup>67</sup>*Commandari Kitab Khana Darshan Ra Darta Phant Ko Sawal*, 1973 V.S., MLR.

<sup>68</sup>P.J.B. Rana, *op. cit.*, p. 255.

or hostile to the prime minister.<sup>69</sup>

Chandra Shamsher is said<sup>70</sup> to have used this weapon very frequently to swell his bank balance and amass wealth quickly. There was no appeal against this practice and the employees, feeling helpless, usually left the country for India to start a new life.

Major J. Manners Smith confirms the existence of this practice and observes: "The law relating to offences involving the confiscation of the entire property of the offenders' family has been so far amended as to leave to the other members three months provision, a set of clothing and bedding, a set of utensils and a set of agricultural implements, together with necessary plough and oxen."<sup>71</sup>

This was actually a reform which was later introduced by Chandra Shamsher in the system of sarvaswa-haran.

*Jagera.* In the personnel system of the Ranas, "certain appointments were neither extended nor terminated at a particular *pajani*, but the persons holding them were kept in reserve for being subsequently employed elsewhere."<sup>72</sup>

Such employees as were kept in reserve were called *jagera*. The system of *jagera* in the administration gave much fillip to the *chakari* of the bosses for subsequent employment.

*Pan-phool or pan-pati or pan-supari.* A typical traditional thing as it was, it meant offering cash with pan and phool (flowers) or *supari* (betelnuts)<sup>73</sup> to government servants. This was a typical example of corrupt and feudal practice which continued throughout the Rana period. Bhim Sen Thapa is said to have ordered through a *lal mohar* to stop this corrupt practice.<sup>74</sup>

In such a situation, it is no wonder that the Rana administration was staffed by a small number of such men who were mostly corrupt, and who had no initiative or enterprise.

#### FINANCIAL ADMINISTRATION

At the outset it must be clearly emphasized that "financial admini-

<sup>69</sup>Based on interview with Babu Ram Acharya.

<sup>70</sup>*Ibid.*

<sup>71</sup>Major J. Manners Smith, letter to the Government of India, 21 July 1905, NAI.

<sup>72</sup>Satish Kumar, *op. cit.*, p. 83.

<sup>73</sup>Interview with Chittaranjan Nepali.

<sup>74</sup>Chittaranjan Nepali, *General Bhim Sen*, 2013 V.S., Kathmandu, p. 197.

nistration.” in the sense in which that expression is used in the Western world or in India, covering four main sectors—the budget, payment procedure, accounting and reporting, and auditing—did not evolve in Nepal during the 1901-51 period.

“No budget,” reports the Buch Committee, “was ever framed during the Rana regime.”<sup>75</sup> The income of the state was, therefore, variously estimated on a rough basis. There was also the absence of a finance department during the Rana period.

It should not however be assumed that on account of the absence of a budget and finance department there was no financial control under the Ranas or that there was no accounting or auditing of receipts and expenditure and *ad hoc* sanctions given from time to time.

As has already been mentioned, the Ranas had three important addas—kumari chowk, muluki khana and kausi tosakhana—which performed in a traditional way the functions of auditing accounts kept separately by various government offices, keeping money receipts (cash, gold, silver, etc.) and disbursing pay and other amounts. In fact, there was during the Ranas “stringent control over incurring of expenditure, collection and write off of revenue but it was different in form from that obtaining in India.”<sup>76</sup>

In fact, any study of the Rana administration would remain incomplete without reference to some details of the system of public finance and financial administration, in a limited sense, then prevailing, which “has to a large extent, except for the creation of the Ministry of Finance and of the Accountant General,”<sup>77</sup> and the preparation of yearly budgets since 2008 V.S., continued in Nepal till 1959 (eight years after the overthrow of the Ranas).

As Himsworth, the UN adviser in public finance to HMG Nepal, observes: “The old system of the Ranas, where a Maharaja decided what items of expenditure should be approved and in what amounts died hard.”<sup>78</sup>

According to Bhandary, “Nepal had an annual income of Rs 3 to 3½ crores, out of which, after deducting the minimum possible

<sup>75</sup>See *Buch Committee Report*, para 163, p. 61.

<sup>76</sup>*Ibid.*, para 159, p. 57.

<sup>77</sup>*Ibid.*

<sup>78</sup>Himsworth, *op. cit.*, para 252, p. 78.

expenditure on administration, the huge amount saved went to the Rana Prime Minister, who possessed huge amounts in foreign banks in his personal account, and in the account of his wife and children also.”<sup>79</sup>

For personal and family use, during the 104 years of their rule, the Rana prime ministers appropriated an estimated “100 crore rupees,”<sup>80</sup> over and above the exploitation of free land, jungles, etc. of Nepal.

This resulted in the extreme pauperization of the people. Under such economic conditions no middle class could emerge during the whole Rana period.

The reasons for the absence of a budget under the Ranas may first be assigned to the fact that they never thought it wise for their staff or people in general to know the income, expenditure or savings of the state. Secondly, since government and administration was the monopoly of the Rana family, there was no need to have a budget. Thirdly, there was “no need for framing a consolidated budget specially as there was always a surplus of receipts over expenditure and the problem of balancing the budget did not arise.”<sup>81</sup>

Keeping these facts in mind, we may now deal briefly with the Rana system of financial administration.

As the Buch Committee observed:

Sanctions for appointment of staff and expenditure in respect of works and miscellaneous items were given in an *ad hoc* manner, from time to time generally on the basis of oral discussions between the Prime Minister, the Commander-in-Chief and the various heads of Departments named as Directors General, who were generally from the Rana family. Sanctions were given not for posts as such but for appointment of individual officials. . . .<sup>82</sup>

The personnel, as stated earlier, could draw pay only when their names were registered in the kitab khana and when it issued a

<sup>79</sup>M.R.R. Bhandary, “The Rise and Fall of Rana Regime in Nepal,” M.A thesis microfilm, ICWA library, New Delhi.

<sup>80</sup>*Ibid.*

<sup>81</sup>See *Buch Committee Report*, para 159, p. 57.

<sup>82</sup>*Ibid.*

certificate to this effect. Since all appointments were annual there was no distinction between temporary and permanent staff. Expenditure other than pay was sanctioned in an *ad hoc* manner. So the annual budget grants were generally avoided except in a few exceptional cases.

But the system of accounting was in a way very stringent. Accounts were kept separately by the various government offices at the central and district levels. But they were not consolidated for the country as a whole.

Stringent control was exercised over expenditure, fortified by punishments for any irregularity. There were no financial and treasury rules as such, except verbal orders or sanads from the Rana prime ministers from time to time regarding collection, custody and expenditure of government funds.

Obviously, as the Rana system was highly centralized, it did not admit any delegation of financial powers. So it led to delays and discouraged all spending.

Under the Ranas, "audit was entirely separate from accounts"<sup>83</sup> and was carried out, as we have discussed earlier, by Kumari chowk—two for the tarai, two for the hills and two for the valley. These Kumari chowk offices received statements of accounts from all treasuries (district and central at bhandar khal, Kathmandu) and other offices handling government money. Kumari chowk audited accounts in the light of sanctions and relevant rules.

The audit carried out by Kumari chowk was obviously of a somewhat elementary nature and the procedure followed was not foolproof.

It appears from available information that a pay bill or report of a government servant usually undertook the following journey:

Kitab khana	:	for certification of employment and pay
Tejarath adda	:	for verification of loans and advances
Shrestha adalat	:	for verification of fines and adjustments
Hazari goswara	:	for unauthorized absence
Bali talab	:	for net amount and payment

<sup>83</sup> *Ibid.*, para 196, p. 77.

It is needless to emphasize here the unnecessary delay and harassment it would have caused to the Rana personnel.

It is no wonder that any default in public funds or mistakes in accounting brought punishment "not only to the defaulter himself but on his heirs up to the seventh generation."<sup>84</sup>

As Bhandary tells us, "there was a law at that time that anybody who tried to copy down the figures would be punished severely."<sup>85</sup> And therefore perhaps no other source except Bhandary himself has till now been able to know and present the sources of Rana

TABLE X  
Annual Revenue of Nepal under the Rana Regime in 1950 on the eve of the 1950-51 Revolution

<i>Sl. no.</i>	<i>Sources of revenue</i>	<i>Amount (in thousands of rupees)</i>
1.	Land revenue	1,51,16
2.	Customs	40,66
3.	Excise	7,14
4.	Registration	1,20
5.	Mint	47,71
6.	Government of India (A)	10,00
7.	Government of Tibet (B)	10
8.	Telephone	11,36
9.	Post office	1,26
10.	Wireless	31
11.	Railway	3,55
12.	Trolleys (motor-railways)	59
13.	Electricity	4,18
14.	Ropeways	4,25
15.	Road cess	75
16.	Forest	7,88
17.	Fines from law courts	77
18.	Agriculture	40
	Grand Total	2,93,36

*Source:* M.R.R. Bhandary, "The Rise and Fall of Rana Regime in Nepal, 1846-1951," unpublished M.A. thesis, Department of Political Science, Lucknow University, Lucknow, microfilm copy, ICWA library, New Delhi, p. 105.

Bhandary points out that last year's revenue was three to 3.5 crores. This year it was less due to the movement of rebels, revolutionaries, riots, etc.

<sup>84</sup>Himsworth, *op. cit.*, para 4, p. 1.

<sup>85</sup>Bhandary, *op. cit.*, p. 105.



TABLE XI  
Annual Expenditure of Nepal under the Rana Regime in 1950 on  
the eve of 1950-51 Revolution

<i>Sl no.</i>	<i>Items of expenditure</i>	<i>Amount (in thousands of rupees)</i>
1.	Land revenue	21,22
2.	Mint	3,37
3.	Traditional puja	47
4.	Local self-government	1,87
5.	Commerce and industry	4,52
6.	Education	10,80
7.	Census	99
8.	Baidhanik samiti	8
9.	Health and medicine	8,43
10.	Foreign embassy	4,44
11.	Nepal Council of Asian Relations	3
12.	Hospitality	3
13.	Protocol	18
14.	Airways	12
15.	Telephone	1,61
16.	Post office	2,44
17.	Wireless	1,22
18.	Roadways	1,26
19.	Works and buildings	6,90
20.	Roads	1,23
21.	Trolleys	54
22.	Electricity	1,37
23.	Water supply	3,40
24.	Mines	19
25.	Forests	8,24
26.	Judiciary	6,94
27.	Police	3,67
28.	Jails	3,64
29.	Publicity	30
30.	Cinema	1,28
31.	District administration	7,33
32.	Veterinary	22
33.	Agriculture	3,14
34.	Defence	1,01,25
35.	His Majesty's privy purse	5,81
36.	Non-effective charges	30,90
	Grand Total	2,49,43

*Source:* M.R.R. Bhandary, "The Rise and Fall of Rana Regime in Nepal, 1846-1951," unpublished M.A. thesis, Department of Political Science, Lucknow University, Lucknow, microfilm, ICWA library, New Delhi, p. 107.

revenue and expenditure. This valuable information collected from old Rana records and files is indicated in Tables X and XI. The Rana income and expenditure reflect the social and economic policy of the feudal Rana regime. Hence both the tables are interesting and important. The surplus of revenue over expenditure, as stated earlier, went to the pockets of the maharaja prime minister.

As Tables X and XI indicate, the biggest source of Rana income was obviously land revenue and customs. They spent heavy amounts on the army and the police. Welfare activities such as education, health, medicine, etc. had actually no place in the administrative philosophy of the Ranas.

The quality of the Rana administration, in view of the above discussion, could be anybody's guess. What could be expected of an administration where the whole personnel depended on patronage and governmental activities and expenditure were reduced to the minimum? Moreover, the whole Rana administration depended upon the unqualified submission of the subjects (dunia) to the traditional medieval methods of regimentation, exploitation and oppression.

But how long could such a system last?

This brings us to the twilight of the Rana regime.

## *Chapter V*

# End of Rana Rule

By 1947 it was sufficiently clear that Nepal was heading towards a crisis. Unlike its southern neighbour, Nepal had not experienced colonial rule. So its administrative system was not exposed to Westernization and modernization. In spite of some changes and limited reforms during the times of Chandra and Juddha, Nepalese administration continued to be archaic and autocratic. Both history and geography combined to reinforce the policies of cultural isolation imposed by the Ranas since 1846.

We have seen now Jang Bahadur, the originator of the Rana system, had created a dual sovereignty of the hereditary Shri Panch and Shri Teen in Nepal. He had thus sown the seeds of future conflict in the system itself. King Tribhuvan's relations with his prime minister had been deteriorating steadily. He had started patronising the agitational politics of the people and political parties.

The storms had been gathering over the Ranas since the exit of the British from India in 1947. The support of the British to the Ranas which had sustained them for a century, since 1846, was suddenly withdrawn in 1947.

Padma Shamsher, however, tried to introduce a new breeze of liberalism and limited democracy in the Rana system to trim the sail of the Rana ship and bring the country's administration more into "line with the advanced nations of the world."<sup>1</sup> But his attempts failed due to the designs of the diehards in the system. Within the system itself emerged a powerful dissident group of B and C class Ranas. Unfortunately for the system, they joined the

<sup>1</sup>Address of the Prime Minister of Nepal upon the Inauguration of the Govt. of Nepal Act, 2004 V.S., Amos J. Peaslee (ed.), *Constitutions of Nations*, Vol. II, pp. 489-500.

people who were already tired of the long autocratic and authoritarian Rana rule. Political parties emerged to give them leadership. The final result was a revolution in 1950-51 which swept away the century-old Ranacracy in Nepal.

#### PROPOSED REFORMS AND HURDLES

Padma Shamsher was first amongst Rana prime ministers who realized that the spell of stagnation in the Rana system, with its archaic administration, was leading to the growth of anti-Rana feeling. In his proclamation of 16 May 1947 he made public his intention to form a reform committee to suggest changes in the administration so that it could be carried on by “an assembly of elected and nominated members”<sup>2</sup>; and to institute elected village, municipal and district boards, publish an annual budget, set up an independent judiciary, extend education and establish consular offices wherever necessary. Three Indian constitutional experts<sup>3</sup> were invited to assist this reform committee. They visited Nepal in June 1947.

Meanwhile, Kathmandu municipal elections were held in the month of June, in the city’s 21 wards.<sup>4</sup> This was the first experiment in democracy in Rana Nepal. A crisis came in July 1947 when the students of Sanskrit College went on strike for better salaries to their teachers and better hostel amenities. People sympathized with the strikers. Padma was also convinced of the genuineness of the demands and was ready to fulfil them.

But the diehard Ranas under Mohan Shamsher were losing their patience at this liberal outlook and abject surrender of Padma to the democratic forces. Padma had already taken his family and the country in utter surprise when in his inaugural speech, he had described himself as the servant of the people and the nation.<sup>5</sup>

He was greatly pleased when the Government of Nepal Act, 2004 V.S. was ready to be promulgated—the first ever written Constitution of Nepal and a landmark in Nepalese history.

He told his people about this constitutional Act which “translates

<sup>2</sup>*Gorkhapatra*, Kathmandu, Jaith 4, 2004 V.S.

<sup>3</sup>Sri Prakasa, Dr R.U. Singh and Raghunath Singh.

<sup>4</sup>*Gorkhapatra*, Jaith 24, 2004 V.S.

<sup>5</sup>*Ibid.*, Bhadra 25, 2003 V.S.

into action the deep aspirations I have entertained for such a long time to bring about an improvement in the administration of the country.”<sup>6</sup>

Briefly stated, it was for the first time in Nepalese history that constitutional provisions laid down the fundamental rights of the Nepalese and provided for a restriction on the administration through an invigilatory system of checks, for example, a public service commission, an auditor-general and administrative committees.

Above all, the 1948 Constitution laid down for the first time written restrictions into the system of Jang Bahadur and Chandra Shamsher, which from 1846 to 1948 (till Padma’s Constitution), was carried on according to the personal wishes, likes and dislikes, and the military command of one man at the top.

But fate willed otherwise because the diehards, whose leader was Mohan Shamsher, in the system stood for no change and no surrender. Padma was forced to announce his desire to retire from prime ministership on grounds of health.<sup>7</sup>

#### AGITATIONAL POLITICS

In April 1948 Mohan Shamsher took over the reins of power without knowing that “it would be his lot to preside over the liquidation of the Rana regime.”<sup>8</sup> He could not understand the forces and factors, internal and external, the events and tendencies, inside and outside Nepal, which were threatening the regime.

Had he realized and tackled successfully the growing discontent, frustration and disunity, and repaired the cracks in the Rana edifice and composed differences with the four opposing parties—the king, the dissident Ranas, the people, and the political parties—directly responsible for the coming events, perhaps Mohan Shamsher could have avoided the catastrophe and the fall of the Ranas. But history was against him, or, one could say, he was against history.

<sup>6</sup>Preamble of the 1948 Constitution in Amos J. Peaslee (ed.), *Constitutions of Nations*, Vol. II, The Hague, Netherlands. See address of Prime Minister of Nepal upon the Inauguration of the Government of Nepal Act, 2004 V.S. 26 January 1948.

<sup>7</sup>For details see Dhundi Raj Bhandari, *Nepal Ko Aitihāsik Vivechana Nepal Ko Kura*, Nepal, 2014 V.S., p. 248.

<sup>8</sup>B. Chatterjee, *A Study of Recent Nepalese Politics*, 1967, Calcutta, p. 43.

## THE FOUR INTERNAL FACTORS

(i) *The Factional Politics of the Ranas.* It is strange that opposition to the Rana system first developed within the family. We may recapitulate how disunity within the Rana family had developed between Jang's ten sons and their uncles in 1877. It was the first example of factional politics in the Rana family.<sup>9</sup> The second came in 1885 when Bir Shamsheer staged a coup against his uncle, prime minister Ranoddip Singh.

In 1901 Deva Shamsheer succumbed to the coup of Chandra Shamsheer. In 1948 Padma Shamsheer was forced to resign in favour of Mohan Shamsheer. The Rana roll of succession had thus almost become a farce. But the biggest factor in the factional politics was the three-class division in the Rana family into A, B and C categories on the basis of the purity or pollution of blood.<sup>10</sup>

Chandra Shamsheer institutionalized this tripartite division in the Rana family to ensure the dominance of the A class Ranas in government and administration. The maharaja's post could not go to B and C class Ranas. This meant that the B and C class Ranas had no future in the family. Thus, both socially and politically they stood handicapped. But worst was the lot of the C class Ranas. In 1934 all C class Rana names were stripped from the roll of succession and exiled to India. Two of them were most important—Hiranya Shamsheer and Prakash Shamsheer and their sons, Subarna Shamsheer and Mahavir Shamsheer. The latter two played a very important role in the 1950-51 revolution.

Thus the Ranas stood divided when the storm started gathering over the political horizon of Nepal, specially after 1946.

(ii) *The People.* As in British India or in Shogunate Japan or in Czarist Russia, in Rana Nepal also, in spite of the tight grip of

<sup>9</sup>The two factions were (a) the Jang faction; and (b) the Shamsheer faction.

<sup>10</sup>There are various interpretations A, B and C class Ranas. The simplest and the correct one appears to be that A class Ranas were born of wives who were of equal castes with their husbands, B class were born of wives entitled by caste to every form of association with their husbands except eating of rice together, and C class of those wives of such caste status who were not permitted marriage or inter-dining with Ranas. For details, P. Landon, *Nepal*, 1928, London, Vol. I, pp. 248-49. Also F. Toker, *Gorkha: The Story of the Gurkhas of Nepal*, 1957, London, p. 205 and Joshi and Rose, *Democratic Innovations in Nepal, etc.*, 1966, Berkeley and Los Angeles, pp. 47-48.

Rana autocracy and the sacred order on government, politics and society, new ideas about socio-religious and political changes started capturing the minds of the people who were tired of Rana rule. No longer were they prepared to stand aloof from the game of politics or the process of governance.

And a serious threat to the Rana regime was brewing among the young intellectuals of Kathmandu, educated and trained in India and influenced by Swami Dayanand and Mahatma Gandhi.

Even during the regimes of Chandra and Juddha, people began appearing as a party, however small, threatening to break the shackles of the Ranas and the Rajgurus to revitalize a static and traditional society. The beginning was very humble—a purely religious opposition.<sup>11</sup>

The Gandhian movement of non-cooperation and satyagraha in the twenties also aroused further political consciousness in the Nepalese. Some of them had the experience of directly participating in the movements in India.

Others, the Gorkha soldiers who returned home after the end of the First World War, had seen much in Asia and Europe to corrupt them with new ideas and a modernizing zeal. They were not prepared to tolerate an outmoded structure of government and the caste purification exploits of the Brahmans. In 1921, one such Gorkha ex-serviceman, Thakur Chandan Singh, established the Gorkha League at Dehradun,<sup>12</sup> an important Gorkha recruitment centre in India. He came out with two weekly papers, *Gorkha Samsar* and *Tarun Gorkha*. The purpose was again social. But the Ranas would not tolerate any suggestion of change.

Banaras, the traditional centre of the Nepalese and the holy city for all Hindus, soon attracted the new Nepalese intellectuals who had turned anti-Rana. Many people in India had by then turned anti-British and so the two joined hands to excite the nationalist feelings through poems, writings and speeches in India and Nepal.

Subba Devi Prasad, Krishna Prasad Koirala, Dharnidhar Sharma and Surya Vikram Gyavali were some of the notables.

<sup>11</sup>For details see Ramji Upadhyaya, *Nepal Ko Itihas Arthat Digdarshan*, Banaras, 1950.

<sup>12</sup>For details and defections in Gorkha League, see Narendra Kumar, "Dehradun and Nepal Movement," *Nepal Today*, Calcutta, 6th issue, August 1949, pp. 8-9.

Krishna Prasad Koirala was called the "Gandhi of Nepal" and later his two sons, Matrika and Bisheshwar, played a leading role in overthrowing the Ranas in Nepal. The whole Koirala family was banished from Nepal and suffered greatly for the noble cause.<sup>13</sup>

Now begins the story of agitational politics and underground terrorist activities of the Nepali people and of the political parties.

(iii) *The Political Parties.* The first example of agitational politics and secret clubs was the Prachanda Gurkha and its conspiracy in 1931. Its members wanted to overthrow the Ranas by terrorist activities and set up a modern parliamentary government. The members were jailed before they could launch an offensive.

Then, in 1935, came another extremist secret society—the Praja Parishad<sup>14</sup> at Kathmandu, the seat and heart of Rana government, with such prominent men as Tanka Prasad Acharya, Dasarath Chandra, Ramhari Sharma and Dharma Bhakta, the king's physical instructor. It wanted to overthrow the Rana regime with the help of all Nepalese from different castes and groups. It had, it is said, the sympathy of King Tribhuvan.

In India at the three centres—Banaras, Patna and Calcutta—the Nepalese youth and students rallied with courage and confidence after finishing their education in the Banaras Hindu University, the Patna University and the Calcutta University. They were greatly influenced by Indian leaders, mainly Mahatma Gandhi, Jayaprakash Narayan and Ram Manohar Lohia, and also by the Quit India movement of 1942. All these inspired them to make efforts to overthrow the autocratic Rana rule in Nepal.

In January 1947 the Nepalese had a platform and a mass political party (on the lines of the Indian National Congress)—the Nepali National Congress (or Nepali Rashtriya Congress)<sup>15</sup>—

<sup>13</sup>B.P. Koirala, "Mero Jeevan Katha," *Pragati*, Kathmandu, Vol. 2, Asadh-Sravan, 2011 V.S., pp. 123-32. B.P. Koirala in 1960 was put into prison by King Mahendra.

<sup>14</sup>Jagat Bahadur Singh, *Nepal Praja Parishad Ko Samchhipta Itihas*, Lucknow, p. 4.

<sup>15</sup>According to Bhola Chatterjee, because of Lohia's persistent efforts the Nepali Rashtriya Congress finally came up with Tanka Prasad as chairman (then in jail at Kathmandu) and B.P. Koirala as working president. See Chatterjee, *op. cit.*, p. 37.



composed of the exiled Nepalese, mostly youth and students. The aim was to overthrow the Rana regime by non-violent satyagraha and achieve in Nepal a democratic, responsible, parliamentary government with the king as the constitutional head.

King Tribhuvan again came to Calcutta for a medical check-up. This time he came with General Subarna Shamsheer the then deputy director of Nepal's development board. He was "only informed"<sup>16</sup> of the discussions and deliberations of the Nepali National Congress through Subarna who got in touch with B.P. Koirala. The king had all blessings for the new people's party.

And "faster became the pace of events in the spring of 1947"<sup>17</sup>—the great strike of industrial workers at Biratnagar;<sup>18</sup> arrest of B.P. Koirala and his sisters, Nalini and Indira, and his brothers, Tarini and Girja; and their one-month march to Kathmandu;<sup>19</sup> the Jogbani conference<sup>20</sup> of the Congress; and a call for countrywide satyagraha movement on the Indian model in Nepal; the first Asian conference<sup>21</sup> at New Delhi; Gandhi's support to democratic forces in Nepal; and Subarna's leadership of the Nepalese delegation, etc.; ending in Padma's first Rana Constitution, promulgated in January 1948, with Nehru's efforts and Shri Prakasa's constitutional aid and advice.

But Mohan Shamsheer did not allow a non-violent and gradual transformation of the ancient order to modernity or democratization.

The political situation in Kathmandu was fast deteriorating. The Nepali National Congress was getting more popular and active. Mohan was trying hard to put the clock back by ruling the country, as he said, "in accordance with the traditional usages and custom of the forefathers."<sup>22</sup>

<sup>16</sup>*Ibid.*, p. 39.

<sup>17</sup>*Ibid.* Workers strikes in cotton and jute mills of Biratnagar were organized by the Congress to test their organizational strength and bring political issues to the front.

<sup>18</sup>*Ibid.*

<sup>19</sup>*Ibid.*

<sup>20</sup>Across the border in north Bihar.

<sup>21</sup>This first Asian Relations Conference at New Delhi gave a call to Asian nations to free their lands from exploitation and bondage.

<sup>22</sup>For Mohan's first public speech see *Gorkhapatra*, Baisakh 18, 2005 V.S.

The Nepali National Congress was banned,<sup>23</sup> autonomy to the Kathmandu municipality was withdrawn and the freedoms of speech, expression or assembly against the interests of the Rana regime were made an offence through new laws published in 1949.<sup>24</sup>

A group of young men—Tripubar Singh, Gopal Prasad Rimal and Bijay Malla—founded in Kathmandu in October 1948 the Nepal Praja Panchayat, demanding a government by law,<sup>25</sup> that is, the implementation of the Rana Constitution of 1948. The Nepali National Congress, led by B.P. Koirala, reached Kathmandu to intensify its activities. All, B.P. Koirala, his followers, and Praja Panchayat men were arrested by the Rana government. B.P. Koirala started a 21-day hunger strike in jail. Mohan bowed to pressure and released Koirala and assured reforms. But instead of reforms came repression.

To quote *Nepal Today*: “Hoping for reforms from the selfish Ranas is like hoping for milk from a dry cow.”<sup>26</sup> Congress gave a call for agitational politics and no more compromises.

Mohan’s political conservatism was under the heavy pressure of Nehru’s advice for moderation and liberalization of Nepalese administration. It had some effect on Mohan. On 22 September 1950 Mohan convened a legislative assembly, “the Parliament of Nepal” as he called it.<sup>27</sup> In the council of ministers, two elected members of the assembly were also co-opted. About 158 gram panchayats were claimed to have been set up. As the government claimed, nagar panchayats at Bhaktapur, Lalitpur and Birganj had begun functioning,<sup>28</sup> all in accordance with the Rana Constitution of 1948. But the people knew what these reforms in practice meant. They were seething with discontent and were tired of oppression, false promises and hopes.

Nepal was now very much on the threshold of a revolution.

<sup>23</sup>*Gorkhapatra*, Chait 31, 2004 V.S.

<sup>24</sup>*Maulik-Hak-Sambandhi-Ain*, Kathmandu, Gorkhapatra Press, 1949.

<sup>25</sup>D.R. Regmi, *A Century of Family Autocracy in Nepal*, 1958, Nepal, p. 222.

<sup>26</sup>As quoted in D. Sharma, *Naivadiya*, 1926, Darjeeling, p. 399.

<sup>27</sup>*Nepal News Bulletin*, HMG Nepal, Department of Publicity, 1950, No. 24, p. 1.

<sup>28</sup>*Ibid.*

On 24 September 1950 the Rana government had arrested several Nepali Congress leaders—Colonel Toran Shamsher Rana, Colonel Noda Vikram Rana and other C class Ranas who were military officers. They were secretly organizing an armed revolution in Kathmandu. Arms and ammunition were also seized at Captain Pratap Vikram Shah's residence.<sup>29</sup>

King Tribhuvan was again a suspect in the plot. Mohan was out to interrogate the king and depose him. Again Crown Prince Mahendra was determined not to accede. This time Mohan planned to put the king's third grandson, Gyanendra, on the throne and banish the royal family to Gorkha, their ancestral home.

The Nepali Congress,<sup>30</sup> after the merger of the Nepali National Congress and the Nepal Democratic Congress under the leadership of B.P. Koirala and General Subarna Shamsher, was procuring arms and forming a liberation army to overthrow the Ranas. Thus the people, the dissident Ranas, and the political organizations led by the Nepali Congress had united to give a deathblow to the Rana autocratic system. The die was cast for the November revolution of 1950.

(iv) *The King*. It will be sufficiently clear from the preceding account as to the complicity and sympathy of King Tribhuvan with the movement to overthrow the Ranas.

The monarchy was an old and familiar institution in Nepal. The "enforced seclusion by the Ranas rendered the kingship the more awe-inspiring and the more revered to its subjects."<sup>31</sup> If it sided with anybody, he acquired legitimate capacity and authority. Moreover, as said earlier, to many Nepalese the king was an incarnation of Vishnu.

King Tribhuvan personally was tired of his position as a

<sup>29</sup>*Gorkhapatra*, Asvin 20, 2007 V.S.

<sup>30</sup>Nepali Rashtriya Congress was born on 26 January 1947 at Calcutta. In August 1948 another party was formed at Calcutta, called Nepali Prajatantrik Congress with two C class Ranas, Subarna Shamsher and Mahabir Shamsher, as leaders. It freely advocated the use of force to end Rana rule. On 9 April 1950 the two merged to form the Nepali Congress. For details, *Nepali Congress ko Udghatan Samaroh*, Rashtriya Congress, Calcutta, 1947; Grishma Bahadur Devkota, *Nepal Ko Rajnaitik Darpan*, Banaras, 1960; *Nepal Prajatantrik Congress Ko Vivaran Ka Uddeshya*, Calcutta, 1948.

<sup>31</sup>Tuker, *op. cit.*, p. 243.

“prisoner in the palace.”<sup>32</sup> He desired “to regain his power,”<sup>33</sup> and was also “presumably in sympathy with democratic principles. . . .”<sup>34</sup>

### THE THREE EXTERNAL FACTORS

Before we discuss the 1950-51 revolution we should refer briefly to the three external factors.

First, the two World Wars exposed a powerful section of the Nepalese society, the Gurkha recruits, to the world of the 20th century and to democracy, liberalism and modernism. When they came home they found an archaic society where the Brahmans collected *patiya* (for caste purification) and the government was autocratic. They were attracted by the call of the intellectuals and the terrorists for a change. They also knew how to handle arms and ammunitions, and to organize attacks and defence.

Second, the Indian national movement and Indian independence played a dominant role. The Arya Samaj of Dayanand Saraswati influenced the first great Nepali innovator, Madhav Raj Joshi, and his sons. The intellectuals, youths and students, were influenced by the teachings of Gandhi, Lohia and Jayaprakash, and Nehru sympathized with them. The mass political party—the Nepali Congress—had much in common with the Indian National Congress. B.P. Koirala, D.R. Regmi and K.P. Upadhaya were fighters and sympathizers of the Indian nationalist movement. When India became independent on 15 August 1947 the Ranas were left in utter confusion.

Now to mention the third factor. It hardly needs any emphasis that the cornerstone of Rana policy was loyalty and friendship to the British. From 1846 to 1947 the British Government had shielded the traditional, autocratic, archaic, political and administrative system of the Ranas as it served their interests on two counts: (i) Nepal for all practical purposes was a British protectorate and served as a buffer state between Tibet and India; and (ii) Nepal served best as the recruiting ground for British regiments. In the two World Wars, the Gurkhas had won laurels in the battlefields

<sup>32</sup>See Erika Leuchtag, *With a King in the Clouds*, 1958, London, p. 110.

<sup>33</sup>Werner Levi, *Government and Politics in Nepal*, p. 186.

<sup>34</sup>*Ibid.*

in Asia and Europe. Withdrawal of the British raj from India meant withdrawal of British support to the Ranas. Perhaps this was the most shattering blow to the Rana regime.

The above seven factors, four internal and three external, broadly speaking, worsened the situation rapidly and foretold of more to come. But the Ranas of Nepal, like the Bourbons, were determined "to learn nothing and to forget nothing."<sup>35</sup>

Maharaja Mohan Shamsher, Sphinx-like, "stood resolute watch over the offals his ancestors had left behind. And he refused to listen to the voice of history."<sup>36</sup>

While the Congress met at Bairaganiya,<sup>37</sup> a border town in India, to lead the fight after the September military coup failed, the king refused the use of the *lal mohar* for the execution of ten conspirators of the coup.<sup>38</sup>

#### THE ROYAL FLIGHT AND THE 1950-51 REVOLUTION

King Tribhuvan met prime minister Maharaja Mohan Shamsher alone on 4 November 1950 and had some discussion on 5 November. He informed the Maharaja of his intention to go on a hunting trip the next day with his family. The king's secret plans were ready. The history of Nepal was at a turning point on the morning of 6 November 1950.

King Tribhuvan, with his entire family, except his four-year-old grandson, Gyanendra, left the royal palace in a few cars for a hunting expedition on the road to Buddha Nilkanth. All cars were being driven by royal family members. On the road to Buddha Nilkantha they suddenly turned into the gates of the Indian embassy to the surprise of the Rana guards to seek political refuge there. It was granted by the Indian ambassador Sir C.P.N. Singh.<sup>39</sup>

The people, the Nepali Congress, and the Ranas were all taken by surprise by King Tribhuvan's move and thrown into confusion. All persuasion by Mohan Shamsher through his sons Vijaya Shamsher and Ananda Shamsher to bring Tribhuvan back to the palace

<sup>35</sup>Chatterjee, *op. cit.*, p. 53.

<sup>36</sup>*Ibid.*, 54.

<sup>37</sup>On 26-27 September 1950, in a historic session, see Sharma, *op. cit.*, p. 383.

<sup>38</sup>Joshi and Rose, *op. cit.*, p. 72. Also Sharma, *op. cit.*, pp. 383-384.

<sup>39</sup>Based on this author's interview with Sir C.P.N. Singh.

failed. On 10 November 1950, the royal family was flown to New Delhi in a special plane of the Indian Air Force.

In Kathmandu, on 7 November, Mohan crowned the four-year-old Prince Gyanendra as the king. India, the UK and the USA were requested to recognize the new boy-king. But Mohan failed in his attempt.

Meanwhile, the Nepali Congress had waged a full-fledged war. Pamphlets and leaflets were distributed in Kathmandu and border towns.

On 11 November, the Congress organized a revolutionary government and a liberation army (*mukti sena*)<sup>40</sup> and marched ahead to Birganj. After the fall of Birganj,<sup>41</sup> Parasi and Rangeli, the Udipur Garhi also fell to the rebels, and Biratnagar, Jhapa and Bhairawa were under heavy attack by the *mukti sena*.

During November and December 1950, heavy fighting went on between the Rana forces and the Nepali Congress<sup>42</sup> forces and one after another the important districts in pahad and tarai were being captured by the rebels after heavy fighting. Kathmandu, on 26 and 27 November, had the biggest ever demonstrations for overthrow of the Rana rule and the restoration of King Tribhuvan.<sup>43</sup> Two persons were killed in Rana firing.<sup>44</sup>

In December the rift between A, B and C class Ranas further increased owing to discrimination and became pronounced when 40 C class Ranas resigned their posts in the army and the administration.<sup>45</sup>

In January 1951, a Rana, Rudra Shamsher, the bada hakim (governor) of Palpa, revolted and captured the district government. This had repercussions on other western hill districts also. Palpa, Dang Deokhuri, Kailali-Kanchanpur, all fell into the hands of the Nepali Congress forces.

<sup>40</sup>*Mukti Sena* was organized by Dr K.I. Singh to fight a guerrilla warfare. It consisted of students, ex-Gurkha soldiers and mercenaries.

<sup>41</sup>For details of the fall of Birganj, see Ram Hari Joshi, *Nepal Ko November Kranti*, Patna, 1952; Nirmal Lama, *Birganj Akraman Ra Buddha Singh Gurung*, Kathmandu, n.d., and D.R. Regmi, *Whither Nepal*, Kathmandu, 1952, pp. 107-115.

<sup>42</sup>*Ibid.*

<sup>43</sup>*Ibid.*

<sup>44</sup>Sharma, *op. cit.*, pp. 414-416.

<sup>45</sup>Joshi and Rose, *op. cit.*, p. 75.

We may point out here the six factors which gave panic to the Ranas: (i) the military victories of the people; (ii) the popular upsurge in the valley; (iii) the royal flight to the Indian embassy and then to Delhi; (iv) serious differences and disunity in the ruling Rana family; (v) the unhelpful attitude of their foreign friends (British and the American); and above all (vi) the firm attitude taken by the democratic Government of India towards the Rana regime of Mohan Shamsher.

Werner Levi is perhaps very true in his observation: "Had the future of democracy in Nepal depended upon the decision on the battlefield, the cause would have been lost. Fortunately, it did not. The decision was made in New Delhi by the Indian government, though this was not admitted officially in quite such a crude manner."<sup>46</sup>

#### THE DELHI SETTLEMENT OF 1951

Prime Minister Nehru was very clear in his mind as to the future set-up in Nepal. On 6 December 1950, he stated in the Indian parliament that India recognized King Tribhuvan as head of state. He further stated: "Frankly, we do not like and shall not brook any foreign interference in Nepal. . . . We would like every other country to appreciate the intimate geographical and cultural relationship that exists between India and Nepal."<sup>47</sup>

On 8 December 1950, the Government of India submitted a memorandum to the Government of Nepal in which it stated: "The Government of India's primary objective is that Nepal should be independent, progressive and strong. For this purpose they regard immediate constitutional changes which will satisfy popular opinion and be acceptable to important non-official organisations of Nepalese nationals as urgent."<sup>48</sup>

The constitutional changes proposed were three: (i) an entirely elected Constituent Assembly to frame a Constitution; (ii) pending the election of such a Constituent Assembly, the setting up of an

<sup>46</sup>Werner Levi, *op. cit.*, p. 189.

<sup>47</sup>Jawaharlal Nehru's *Speeches: 1949-53*, Delhi, Government of India, Publications Division, Ministry of Information and Broadcasting, June 1957, p. 176.

<sup>48</sup>Quoted in K.P. Karunakaran, *India in World Affairs: 1950-53—A Review of India's Foreign Relations*, Calcutta, 1958, p. 194.

interim government having both Rana and popular ministers in it with a Rana as prime minister; and that (iii) "King Tribhuvan should continue as King in the interest of the realm."<sup>49</sup> By January 1951, the Rana government accepted the Indian proposals and a week later, the Bharadari approved it.

On 10 January 1951 King Tribhuvan appealed to the liberation army to put down arms in the interest of the country.<sup>50</sup>

But what about the third party to the revolution? The people and the Nepali Congress had resolved to overthrow Rana rule and liquidate the feudal order. But the Delhi settlement between the two governments was at best "a compromise," "a middle way"—neither fish nor fowl. So they refused to endorse the deal.

On 14 January 1951, the Government of India invited the Nepali Congress for discussion and persuasion. M.P. Koirala, B.P. Koirala and Subarna Shamsheer flew to Delhi and on 16 January 1951 they announced a ceasefire in Nepal "to assist in the restoration of peace."<sup>51</sup>

On 12 February 1951, the final round of Delhi talks between the three parties—the king, the Ranas and the Nepali Congress resulted in a compromise. It was agreed that the interim cabinet was to have ten ministers, half Congress nominees and half Rana nominees. Mohan was recognised as the new prime minister with King Tribhuvan as a constitutional head.

On 15 February 1951 King Tribhuvan returned home amidst scenes of jubilation and festivity. On 18 February 1951 King Tribhuvan issued a historic proclamation, inaugurating the new political system and promising solemnly "that the people be ruled by a democratic Constitution framed by a Constituent Assembly, elected by the people."<sup>52</sup>

This day (18 February 1955) thus constituted a landmark in the political and administrative history of Nepal. It marked the end of over a century-old family rule of the Ranas and with this also came an end of their traditional pattern of administration. We may agree with Werner Levi that through "the good offices of the

<sup>49</sup>*Ibid.*

<sup>50</sup>*Hindu*, Madras, 11 January 1951.

<sup>51</sup>*Ibid.*, 17 January 1951.

<sup>52</sup>Quoted in Werner Levi, *op. cit.*, p. 190.



Indian Government, Nepal was launched on the road to democratic government or so it seemed.”<sup>53</sup>

What a strange irony of history that a regime consolidated during 104 years, collapsed within 104 days of the royal flight and the Revolution! With the end of the Rana rule ended an era in the political and administrative history of Nepal.

<sup>53</sup>*Ibid.*, p. 191.

## Chapter VI

# Administrative Changes—1951-59

Attempts to change the pattern of administration of the century-old autocratic Rana rule came to a head in 1951. This marked the beginning of a new epoch in Nepal. With the historic proclamation issued by King Tribhuvan on 18 February 1951<sup>1</sup> ended a chapter in Nepal of a family's monopoly of power and the country's isolation from the rest of the world.

With change in the political system came in administrative changes as well. Nepal made large-scale efforts at administrative modernization and reorganization quickened by "transnational inducement"<sup>2</sup> of administrative reforms by India, the UN and the USA during the four years of King Tribhuvan's (1951-55) and another four years of King Mahendra's (1955-59) rule. Between 1951-59 the government was conducted in accordance with a constitution<sup>3</sup> promulgated by King Tribhuvan on 18 February 1951. These were the exciting years of experiments in democracy, cabinet changes, political immaturity and fluidity, in the course of which the form and facade of a modern administrative system was introduced in Nepal.

A central secretariat was the first necessity of a modern administrative system. It was hurriedly set up at the Singha Darbar, the residence of the Rana prime ministers since 1903. Modern ministries headed by cabinet ministers were organized, the country's

<sup>1</sup>For this proclamation see *Gorkhapatra*, Falgun 5, 2007 V.S.

<sup>2</sup>For details of transnational inducement of administrative reforms in different countries of Asia, see R. Braibanti (ed.), *Asian Bureaucratic Systems from the British Imperial Tradition*, 1966, Durham. Also Chapter X.

<sup>3</sup>As published in *Nepal Gazettee*, Bhadon 4, 2008 V.S., pp. 1-14. It is popularly called the "Interim Constitution" or "Interim Government of Nepal Act," 2008 V.S.

first budget was prepared and new and higher grades of civil service created. Old pay scales were revised. A manual on personnel administration, new civil service acts and rules, a secretariat manual and a manual for bada hakims were drafted. The O & M office and the Institute of Public Administration was set up in the central government. The army and police were modernized. New economic and foreign policies, discarding the outdated policies of the Rana autocracy, were announced.

One significant administrative innovation was the publication of the *Nepal Gazette* on 6 August 1951,<sup>4</sup> which helped in the standardization of government orders and regulations and “helped to create a new role for officials in the administrative structure—the role of the bureaucrat.”<sup>5</sup>

Such statutory bodies like the Public Service Commission, Election Commission, Census Commission, Law Commission, etc. were set up along with such advisory bodies as the National Council, the Planning Commission and the Work Expediting Committee. The interim Constitution of 1951 provided the constitutional basis to the new political and administrative system of Nepal from 1951 to 1959.

This chapter proposes to outline the principal changes in Nepalese administration during that period at the central, district and local levels against the background of the 1951 Constitution and the ministerial changes.

### THE 1951 CONSTITUTION

The interim Constitution of 1951, as stated earlier, provided a constitutional basis to the new political order and gave the administration a new theory and philosophy. It recognized the supremacy of the king and restored him his lost sovereignty, powers, prerogatives and position. It set up a democratic form of government in the country with the king as constitutional head. Obviously, it replaced the 1948 Constitution. In fact, the 1951 Constitution was a temporary one, for the working of the interim govern-

<sup>4</sup>See the first *Nepal Gazette*, 6 August 1951, Shrawan 22, 2008 V.S.

<sup>5</sup>B. Joshi and L.S. Rose, *Democratic Innovations in Nepal, etc.*, 1966, Berkely and Los Angeles, p. 156.

ment during the interim period.<sup>6</sup>

It was the first written Constitution ever given by a Shah king. A brief Constitution of 47 articles, 19 (Articles 2—20) were devoted to the directive principles of state policy, “fundamental in the governance of the country” (Article 2).

The most ambitious was Article 3 which stated: “The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political shall inform all the institutions of the national life.”

Thus was laid the constitutional foundation of a welfare state (as opposed to the police state of the Ranas), with heavy responsibilities on the new political leaders and the new administrators to remould Nepal’s political, economic and social structure along the modern theory of a democratic and “social service state.”

Other articles laid emphasis on (i) the setting up of the village panchayats as “units of self-government” (Article 5); (ii) provision for securing right to work, education and public assistance in cases of unemployment, sickness, old age, etc. (Article 6); (iii) a uniform civil code (Article 9); (iv) “equality before the law or the equal protection of the laws” (Article 13); (v) abolition of forced labour and traffic in human beings, etc. (Article 19); and (vi) abolition of exploitation of children below the age of 14 (Article 20).

Like the Indian Constitution, Article 12 desired the state to endeavour “to promote international peace and security”; “just and honourable relations between nations”; “foster respect for international law”; and “encourage settlement of international disputes by arbitration.”

Article 16 ensured the citizens, the celebrated “seven freedoms” of speech and expression; peaceable assembly without arms; freedom to form associations or unions; move freely; reside and settle in any part of Nepal, acquire or sell property; and practise any profession, occupation, trade or business.

To sum up, the form and facade of a modern state, with overtones of freedom and welfare, social justice and equity was sought to be created through these 19 articles. They aimed at opening a

<sup>6</sup>See the preamble, Interim Government of Nepal Act, 2008 V.S., *Nepal Gazette*, Bhadon 4, 2008 V.S.

new chapter in the post-revolutionary Nepal, almost on the same lines as other nations emerging from a traditional and archaic, regime.<sup>7</sup>

(a) *The Executive—The King and the Council of Ministers.* It is here that the eight articles (Articles 21—28) of the Constitution (i) transferred all powers hitherto enjoyed by the Rana prime minister to the king and thereby restored monarchy and abolished the century-old autocracy of the Rana prime ministers; and (ii) it set up a council of ministers with the prime minister at the head and thus provided for a cabinet government.

Article 21 stated: “The executive power of the state shall be vested in the King and his Council of Ministers and shall be exercised by him in accordance with the advice of his Ministers.”

It implied, in essence, a constitutional monarchy. The king was vested with “the Supreme Command of the Defence Forces of Nepal” [Article 21 (2) ] and with powers “to grant pardon, reprieves, respites, or remissions or punishment” [Article 22 (1) ].

All executive action of the Government of Nepal was to be taken in the name of the king (Article 25).

Article 24 made the council of ministers “collectively responsible to the King.” Article 26 authorized the king to call for information from the prime minister and submit for consideration by the council any matter decided upon by a minister but not the council.

The king was vested with power to promulgate ordinances upon the advice of his council of ministers [Article 29 (1) ]. But such ordinance was to expire after three months of the meeting of the validly constituted legislative body in accordance with the provisions of the Constitution to be framed [Article 29 (2) (a)].

(b) *The Judiciary—Pradhan Nyayalaya.* The Constitution provided for a high court (pradhan nyayalaya) as the “Highest Court of Justice in the country” [Article 30 (1)] and to act as a court of records with powers “to punish for contempt of itself” (Article 31).

The king was to appoint the chief justice and other judges of the

<sup>7</sup>See Braibanti, *op. cit.* Also D.E. Apter, *The Politics of Modernization*, 1965, Chicago, Chapter 3, pp. 81-122; and Gabriel A. Almond and James S. Coleman (eds.), *The Politics of the Developing Areas*, 1960, Princeton, pp. 239-46.

high court [Article 30 (1)].

The high court was the highest court whose judgment could not be reversed either by the king or the prime minister (as in the 1948 Constitution). This also marked the separation of the judiciary from the executive branch of government—perhaps the most significant feature and innovation of the 1951 Constitution.

(c) *Other Constitutional Bodies.* The Constitution provided for the setting up of a public service commission (Article 37) for recruitment, promotion, transfer and other disciplinary matters affecting the civil service [Article 40 (2) (a), (b) and (c)], an election commission (Article 42), to conduct elections for the Constituent Assembly (Article 41); on the basis of adult franchise (Article 44); and a comptroller and auditor-general of Nepal (Article 33) to submit reports relating “to the accounts of the Nepal Government” to the King (Article 35).

It could be said that the interim Constitution of 1951 “marked a revolutionary departure from the traditional administrative practices of the Shah and Rana administration,”<sup>8</sup> by providing for: (i) the separation of the judicial and the executive branches of government; (ii) making the high court the highest court in Nepal; (iii) a public service commission to eliminate patronage and appointments based on blood (kinship) and spoils system during pre-revolutionary Nepal; (iv) a budgetary system and scrutiny of financial records by the comptroller and auditor-general of Nepal; (v) replacement of Rana autocracy in general by a new political order based on modern concepts of justice, social, economic and political and a welfare and democratic state; and (vi) the “seven freedoms” to the people of Nepal to fulfil their visions and aspiration in the post-revolutionary era.

With the new Constitution, which went into effect on 30 March 1951, Nepal was launched on the road to democratic government and administrative changes.

#### ADMINISTRATIVE REORGANIZATION, FIRST PHASE, 1951-55

The four years of the reign of King Tribhuvan, from 1951 till his death in Switzerland in 1955, were the most thrilling years of post-revolutionary Nepal when familial politics was replaced by party

<sup>8</sup>Joshi and Rose, *op. cit.*, p. 149.

politics and when attempts were made to modernize and democratize the administration.

(a) *Ministerial Changes.* The irrational nature of party politics and the political leadership during this period created many uneasy situations for King Tribhuvan. As we shall see, some five ministries followed one another in the political flux, while the Nepali Congress presented a house divided against itself.

(i) *The Rana-Congress coalition.* The Delhi settlement of 1951 resulted in an interim cabinet with five Nepali Congress ministers. Mohan Shamsher was appointed prime minister. While the Ranas were reluctant to share political power, the Congress was impatient to have effective control over the administration to bring about quickly the new political order. On 18 February 1951 they clashed in the swearing-in ceremony over the question of precedence of cabinet ministers. Both parties had come with their own flags. A clash also occurred over Gorkha Dal uprising and its attack on B.P. Koirala's residence. The Gorkha Dal was declared illegal. Meanwhile, the Nepali Congress strengthened its Raksha Dal.

On 10 June 1951 the cabinet was reshuffled. Between the Ranas and the Congress, however, clashes went on with Mohan Shamsher and B.P. Koirala respectively as leaders of the two rival groups. Finally, on 10 November 1951, B.P. Koirala, realizing that the reactionary forces were staging a comeback, resigned *en bloc*. His resignation forced Mohan Shamsher to resign and the first cabinet thus broke up.

(ii) *The Nepali Congress ministry.* Whatever might have been the reasons for King Tribhuvan to appoint M.P. Koirala as prime minister and keep the young, active and dynamic B.P. Koirala out of the second ministry of eight Congress and six Independent ministers (proclaimed on 16 November 1951), it damaged the cause of democracy and brought dissensions in the dominant Congress Party.

However, M.P. Koirala was the first commoner prime minister of Nepal. The royal proclamation of 19 November 1951<sup>9</sup> laid down for the new ministry some policy directives—to ensure civil rights for the people, an independent judiciary, a merit system for recruitment to public services, reorganization of the army and

<sup>9</sup>*Nepal Gazette*, 19 November 1951, Marg 4, 2008 V.S.

the police, and above all, arrangement for the holding of general elections as far as possible by the end of 1952.

But the two brothers, M.P. and B.P. Koirala were fighting on such trivial issues as the question of the supremacy of the ministerial vs. parliamentary wings of the party in power. Meanwhile, the communists, the Gorkha Dal and the Raksha Dal created trouble for the government.

On 20 January 1952 a coup was attempted at Kathmandu when armed bands of Raksha Dal stormed the Singha Darbar to get their leader Dr K.I. Singh released. With 1,200 armed men, K.I. Singh captured the Singha Darbar, airfield, Nepal Radio, wireless and post office, arsenal and treasury.<sup>10</sup> King Tribhuvan had to declare an emergency. The rebels were defeated. K.I. Singh fled to Tibet. This time the Raksha Dal was declared illegal.

It was demonstrated in all these developments that the king and the army had saved the situation. Unfortunately for democracy, these two institutions came closer while the politicians fought and blamed each other. At the height of intra-party crisis, on 25 July 1952, M.P. Koirala, Naradmani Thalang and Mahavir Shamsheer were expelled from the Nepali Congress. Tired of the factional politics and various pulls and pressures, M.P. Koirala also submitted his resignation on 6 August 1952.

Thus ended the first commoner government of Nepal.

(iii) *The advisory regime.* For another ten months (14 August 1952 to 14 June 1953) King Tribhuvan ruled with an Advisory Committee of five royal advisers. General Keshar Shamsheer was the chief adviser. The advisers belonged to the army and the civil service. During this period, royal control over administration became firm. The Special Emergency Powers Act 2009 V.S.<sup>11</sup> further strengthened monarchy by scrapping Articles 1 and 2 of Chapter 3 of the 1951 Constitution.

Meanwhile, political parties multiplied and created more confusion in Nepalese politics. The Nepali Congress was by now under full control of B.P. Koirala. The dissident Congressmen created the following factional parties:

Jana Congress (Bhadra Kali Mishra as leader);

<sup>10</sup> *Ibid.*, Magh 14, 2008 V.S.

<sup>11</sup> *Ibid.*, Bhadra 24, 2009 V.S.



Congress Socialist Group (Balchandra Sharma, Kedarman Vyathit and others);

Rashtriya Praja Party (M.P. Koirala as leader); and

Nepali Rashtriya Congress (D.R. Regmi group).

Besides those four, the other political parties were the Praja Parishad, the Communist Party, the Kisan Sabha and the Rashtravadi Gorkha Parishad.

However, the biggest critic of the advisory regime was B.P. Koirala. He attacked and described the advisory regime as a return to Ranacracy and a form of revivalism.

Sensitive to adverse political criticism, King Tribhuvan suddenly announced on 15 June 1953 the formation of a third ministry headed by M.P. Koirala.<sup>12</sup>

(iv) *Rashtriya Praja Party cabinet*. It was not a Cabinet in the real sense, though it had all one-party ministers. They were to work separately and individually. It was further weakened with the setting up of the regency council in September 1953, on the eve of the king's departure for Europe. The regency council was to guide the ministry in its day to day affairs. This ministry was very unpopular and the political parties were agitating against it. M.P. Koirala's government arrested B.P. Koirala at Kathmandu on 21 September 1953 and he was ordered to be interned. In protest, the Nepali Congress, the Praja Parishad and the Rashtriya Congress formed a united front called the "League of Democrats," demanding the replacement of the M.P. Koirala ministry by a coalition of democratic parties,<sup>13</sup> to ensure "purity, efficiency and economy in administration."<sup>14</sup>

M.P. Koirala succeeded in breaking up the League by reaching an agreement with the Nepali Congress to include four of its nominees in the cabinet. The Praja Parishad and the Rashtriya Congress deserted the League.

Meanwhile, the king again increased his powers by amending the interim Constitution of 1951.<sup>15</sup> The entire chapter dealing with the

<sup>12</sup>See *Gorkhapatra*, 17 June 1953.

<sup>13</sup>*Hindu*, 25 September 1956.

<sup>14</sup>*Statesman*, 25 September 1953.

<sup>15</sup>For details see *Interim Government of Nepal Act, 1954*, Kathmandu Government Press, 1954.

judiciary was dropped, except the continuance of a high court. Royal powers were increased so as to make the monarchy a strong political force in the country.<sup>16</sup>

On 17 February 1954, the Rashtriya Praja Party ministry was replaced by another ministry—a national coalition cabinet, but again headed by M.P. Koirala for the third time.

(v) *The national coalition cabinet.* A new government was formed with the representatives of Rashtriya Praja Party, Rashtriya Congress, Praja Parishad and the Jana Congress. The major party, the Nepali Congress, was however, kept out. The Communist Party was also excluded. So it was not “national” in the real sense. This seven-man national coalition cabinet was to work on an “individual basis” with M.P. Koirala as prime minister. As can be seen, it was a curious political arrangement.

However, King Tribhuvan’s continued illness and intra-cabinet disputes weakened this fifth government also. Prime minister M.P. Koirala came in clash with home minister Tanka Prasad Acharya, the veteran Praja Parishad leader. The Nepali Congress was preparing for a trial of strength by launching a satyagraha for “safeguarding the interests of democracy.” Ailing King Tribhuvan bade farewell to his people on 2 October 1954 and left for Switzerland the next day, never to return. The government at Kathmandu was in a state of chaos.

On 10 January 1955, Nepali Congress launched a mass civil disobedience movement. M.P. Koirala, at the height of intra-cabinet disputes and, perhaps, also feeling helpless before a powerful and ambitious Crown Prince Mahendra, preferred to submit his resignation on 31 January 1955.

Thus ended the first four years of the post-revolutionary period of cabinet instability in Nepal. We shall now examine the measures taken for administrative modernization in Nepal during this period.

(b) *Central Administration.* The administration of a democratic nature was established at the centre in 1951. His Majesty the King (Shri Panch) continued as *de jure* head of the Government of Nepal.

<sup>16</sup>*Ibid.* According to Gupta this 1954 Act “laid the foundation of royal absolutism which marked the beginning of a new stage in Nepalese politics.” See A. Gupta, *Politics in Nepal: A Study of Post-Rana Political Developments and Party Politics*, 1964, Bombay, p. 85.

But the prime minister was now no longer Shri Teen. There was no crown or flag or throne (of the Ranas) when M.P. Koirala became prime minister. The prime minister was now at the head of a council of ministers "to aid and advise"<sup>17</sup> the king in the exercise of his functions.

The goals of the new administration, as set by the Constitution, were "to promote the welfare of the people"<sup>18</sup> by securing "a social order in which justice, social, economic and political"<sup>19</sup> could be effectively achieved and protected in all the institutions of national life.

The executive power was now vested in the king and his council of ministers. The later was made responsible to the king as there was no parliament. This arrangement was purely for an interim period. Therefore legislative powers were also vested in the king to be exercised by him on the advice of his council of ministers through ordinances.

With these changes in the political system, the pattern of central administration also underwent fundamental changes to suit the needs of the new government striving to attain new goals.

The first task before the new ministry sworn in 1951, with Mohan Shamsher as the prime minister and B.P. Koirala as home minister, was to create a modern, viable administrative system to promote the new democratic political order. A central secretariat was first organized at the commodious Singha Darbar with 1,400

TABLE XII  
Ministries under Rana-Congress Coalition of 1951

<i>Sl. no</i>	<i>Name of Ministries</i>	<i>Political affiliation</i>
1.	Foreign Affairs	Under the Rana representatives
2.	Defence	
3.	Education	
4.	Health and LSG	
5.	Forests	
6.	Home	Under the Nepali Congress repre- sentatives
7.	Finance	
8.	Industry and Commerce	
9.	Food and Agriculture	
10.	Transport	

*Source: Gorkhapatra, Fagun 5, 2007 V.S.*

<sup>17</sup>Government of Nepal Act, 2004 V.S., Article 23(1).

<sup>18</sup>*Ibid.*, Article 3.

<sup>19</sup>*Ibid.*

rooms. "The Director-General offices"<sup>20</sup> of the Rana regime were reconstituted into ten modern ministries<sup>21</sup> as indicated in Table XII. Each ministry was placed under a minister, more or less on a functional basis.

The prime minister held foreign affairs portfolio. The home ministry was under B.P. Koirala. All the various Rana offices (addas, khanas and goswaras) and the directorates scattered all over the valley were brought to the central secretariat. Each ministry was made responsible for a specific function in the executive branch of government and looked after a number of technical and other departments.

Various grades of civil service were constituted and posts of secretary, deputy secretary, assistant secretary,<sup>22</sup> gazetted and non-gazetted officers, and other clerical staff were created to man the new ministries. The personnel administration will be discussed in more detail separately in chapter VIII.

Higher posts were filled in with fresh university graduates oriented in democratic ideas and enthusiastic for change. In the lower posts, old Rana personnel with old designations were retained.

Although a public service commission was set up, it was not consulted in many cases.<sup>23</sup> Perhaps this was so because the problem was to make a number of appointments "within a comparatively short time in order to make the Central Secretariat function."<sup>24</sup> However, the commission had laid down the minimum qualifications for different posts duly approved by the cabinet.<sup>25</sup> So the ministers made their appointments in respect of their ministries and then took final concurrence of the commission.

Of course, as stated earlier, a very big step taken towards administrative modernization was the publication of the Nepal Gazettes since 6 August 1951. Administration under the Ranas was something beyond the pale of the dunia (commoners). They simply did not know what was going on inside the government, nor they were expected to know. The sanads, sawals and ains were all top admi-

<sup>20</sup>Shrestha, *How Nepal is Governed*, 2021 V.S., Kathmandu, p. 9.

<sup>21</sup>*Gorkhapatra*, Fagun 5, 2007 V.S.

<sup>22</sup>Their designations and number varied during 1951-59 period.

<sup>23</sup>*Buch Committee Report*, para 29, p. 14.

<sup>24</sup>Shrestha, *op. cit.*, p. 10.

<sup>25</sup>*Ibid.*

nistrative secrets. It was only now that the people could read and know the orders and decisions of their government through these gazettes.

Secondly, the Nepal Gazettes replaced the whims and caprices of the old order and the *mukhe ain* (verbal laws) of the Rana prime minister. Now, government decisions, orders and regulations were standardized and given precision, uniformity and universality.

Thirdly, the notifications in the gazettes were to be treated as government orders and were to be implemented without delay. This meant quick implementation of government decisions by the ministries and the departments concerned. They were not to wait for separate executive orders of the ministry.

Fourthly, it is significant that for the first time, the gazettes addressed the people as citizens (not subjects or *dunia*) and made them feel that now it was their own government and also that Nepal now was a democracy.

So stated the first *Nepal Gazette* of Shravan 22, 2008 V.S.:

Gazettes, befitting a democratic Government shall henceforth be published by the Government of Nepal. Such Gazettes shall be published from time to time as necessary. All the Government officials and the citizens of Nepal shall act according to Government notifications published in the Gazettes from time to time, as if these notifications were Government orders.<sup>26</sup>

Through two important gazette notifications, dated 10 September 1951 and 1 October 1951, first home minister B.P. Koirala ordered the abolition of several evil Rana traditional institutions and practices. These were: (i) the evil practice of victory parade, which “fostered communal feelings”,<sup>27</sup> (ii) the ceremony of “ascending the throne as soon as the chariot of the ‘Virgin’ reaches in front of Gaddi Darbar<sup>28</sup>; (iii) the system of compulsory attendance of civil servants “at Hanuman Dhoka at night during Indra Yatra festival”<sup>29</sup>; (iv) the system of compulsory assembly of all the mili-

<sup>26</sup>*Nepal Gazette*, Shravan 22, 2008 V.S.

<sup>27</sup>*Ibid.*, September 10, 1651 (Bhadra 25, 2008 V.S.)

<sup>28</sup>*Ibid.*

<sup>29</sup>*Ibid.*

tary officers “at the time of raising of Linga [a long timber] at Hanuman Dhoka”<sup>30</sup>; (v) the system of darshan-bhet by which all hakims and officials throughout Nepal were imposed upon for a certain darshan-bhet rakam<sup>31</sup> (taxes, commission) compulsorily paid to the prime minister and the commander-in-chief; (vi) “the Rakam which used to be submitted to the C-in-C by collecting the Salami (Rakam) @ rupee one per Dhapot by the Kumari Chowk offices for auditing accounts. . . .”<sup>32</sup>; (vii) “the Rakam (or fee) which was imposed on Zamindars, Patwaries, and which used to be submitted to the Prime Minister and C-in-C”<sup>33</sup>; and (viii) “all Rakams deducted like Tika Bhet, Darshan-Bhet, Fatteh Mubarak, Telbatti, etc. . . .”<sup>34</sup>

Another gazette notification, dated 24 September 1951, amended Section 2(1) of the muluki sawal, concerning office hours in government offices in the valley. It reduced the hours of work. It was now fixed from 11 A.M. to 5 P.M. The practice of compulsory gambling during Kojagrat and Panchak was also abolished. As the gazette declared, “. . .there is no significance of gambling in the present changed situation.”<sup>35</sup>

The shresta adalat in the Rana central administration, hearing appeals from Kumari chowk phants was reorganized into the shresta (appellate) department and placed in the ministry of finance.<sup>36</sup> Now the appeals from shresta went to the finance ministry. An important notification made on 15 October 1951 by the ministry of finance abolished the jagga bharna system, the tirja system, and the khangi system—all of which permitted government servants payment of salary in kind (in terms of harvests of land). To quote from the gazette notification:

All Government officials shall receive their salaries in cash and the *Jagga Bharna* system shall be abolished. . . .cash payment of salaries shall be provided to Government Servants according to

<sup>30</sup> *Ibid.*

<sup>31</sup> *Ibid.*, 1 October 1951, Aswin 15, 2008 V.S.

<sup>32</sup> *Ibid.*

<sup>33</sup> *Ibid.*

<sup>34</sup> *Ibid.*

<sup>35</sup> *Ibid.*, 24 September 1951, Aswin 8, 2008 V.S.

<sup>36</sup> *Ibid.*, 4 November 1951, Kartik 19, 2008 V.S.

their respective pay scale. . . . The *Royats* holding land should submit cash at the prevalent rate to the *Mal* offices.<sup>37</sup>

True to democratic aspirations, a gazette notification of 1 October 1951 of the ministry of education ordered all government schools to admit scheduled caste students and provide them free tiffin during lunch hours, the expenses of which were to be borne by the new democratic government. This notification reflected the new mood. It said: "Education is a necessity to all the people under a democratic system. . . ."<sup>38</sup>

A new civil list of holidays for Dasain Tihar festivals was also announced on 1 October 1951. The government order exempted the prime minister and other ministers from compulsory attendance on Phoolpati day at Hanuman Dhoka and on Bara Dasain day at the palace.<sup>39</sup> A film censor board<sup>40</sup> was also constituted to bring Nepal in line with other democratic countries. Interim jail reforms<sup>41</sup> were also announced by the first coalition government.

With great difficulty, the new government changed the old Rana practice of maintaining government orders in scrolls. The modern filing system was introduced in the central secretariat. But the old staff at the clerical level could hardly learn the use of the files. On 16 November 1951, when the first commoner ministry with a commoner prime minister was constituted, a royal proclamation created several new portfolios. Separate ministries (besides the previous ten) were established for general administration; planning and development; land reforms; parliamentary affairs; and law and justice.

Thus, the total number of modern ministries now increased to 15. The new prime minister M.P. Koirala assumed charge of general administration which dealt with cabinet affairs, government appointments, the Public Service Commission, district administration and general coordination work. Some departments of the home ministry went to law and justice. Others went to general administration. Home was now left with departments like police, jails and

<sup>37</sup>*Ibid.*, 15 October 1951.

<sup>38</sup>*Ibid.*, 1 October 1951, Ashwin 15, 2008 V.S.

<sup>39</sup>*Ibid.*

<sup>40</sup>*Ibid.*

<sup>41</sup>*Ibid.*, 6 August 1951, Shraavan 22, 2008 V.S.

broadcasting. Two posts of deputy minister (for health and forests) were also introduced.

The ministry of parliamentary affairs was entrusted with the responsibility of convening an elected Constituent Assembly, the first concern of King Tribhuvan. He created the ministry of general administration for bringing quick administrative modernization and reorganization under the prime minister's direct supervision and control. The ministry of law and justice was to frame new laws and strengthen the independence of the judiciary. Two weeks after his taking charge as prime minister, M.P. Koirala announced, on 28 November 1951,<sup>42</sup> a reorganization of the central secretariat at the departmental secretary level. The gazette notification of Marg 13, 2008 V.S. published the names of 15 secretaries appointed for the 15 departments in the central secretariat. The list exhibits that the majority of them were either Ranas or men of the old Rana bureaucracy,<sup>43</sup> and only a few were the new Western-educated young men with modern ideas and outlook. Two of them were professors of local colleges (Professor Pradyuman Lal Rajbhandari<sup>44</sup> and Professor Bhabnath Upadhyaya). Two of them were very promising young men and played a great part in the administrative modernization of Nepal. They were Prem Nar Singh Pradhan, and Kul Shekhar Sharma.<sup>45</sup> But all these commoner secretaries were allotted minor departments of the LSG, health, parliamentary affairs, food, planning and development, etc.

In short, with M.P. Koirala as prime minister and B.P. Koirala removed from the government, most of the secretariat reorganization at the higher administrative levels meant "a revival of Rana-associated attitudes and procedures in the civil service."<sup>46</sup> As we

<sup>42</sup>*Ibid.*, 28 November 1951, Marg 13, 2008 V.S.

<sup>43</sup>*Ibid.* For example: Lt. Col. Himalaya Shamsher (finance), Brig. Col. Chandra Bahadur Thapa (home), Col. Tilak Shamsher (law and justice), Brig. Col. Sobhag Jang Thapa (defence), Sardar Rudraraj Pandey (education), Sardar Bhim Bahadur Pandey (planning and development), Sardar Narendra Mani A.D. (foreign affairs), Subba Neer Rajbhandari (Industry and Commerce), and Achyut Raj Panditju (general administration).

<sup>44</sup>*Ibid.* When this author met him at Kathmandu he had become home minister.

<sup>45</sup>*Ibid.* This author interviewed him when he became chief secretary, HMG Nepal.

<sup>46</sup>Joshi and Rose, *op. cit.*, p. 157.



shall see hereafter, these Ranas or Rana-associated secretaries and higher staff delayed and discredited democracy in general and the democratization of the administration in particular. The “revivalist tendency”<sup>47</sup> was further augmented in 1952, during the formation of the “Civil Service Coordination Committee” by M.P. Koirala. This committee was actually composed entirely of the former Rana administrators who were obviously not interested in the modernization of the old pattern of administration. The prime minister, with his conservative outlook, supported them. So the result of the committees was disappointing so far as administrative changes were concerned.

In fact, the drive and initiative for administrative modernization during this period came from an external source—a friendly and democratic India. Two Indian advisers<sup>48</sup> served from April 1951 to February 1952. Two others<sup>49</sup> were added for short periods. They were senior ICS men. They recommended modernizing rules and procedures for the functioning of the central government and followed the best model of the Indian Civil service, suitably modified to meet Nepal’s needs. Their rules, instructions, reports, and suggestions helped much in setting up a proper administrative machinery. Since law and order machinery had broken down during the 1950-51 revolution, one Indian police officer of Punjab<sup>50</sup> used his holiday to study the police and security measures in Nepal and helped to modernize and reorganize the Nepalese police system.

#### THE NEPAL ADMINISTRATIVE REORGANIZATION COMMITTEE’S RECOMMENDATIONS

In July 1952, the Indian government sent at the request of the Nepal government a team of Indian experts, a commission, popularly known as the Buch Committee<sup>51</sup> under the chairmanship of

<sup>47</sup>*Ibid.*

<sup>48</sup>J.M. Shrinagesh and Govind Narain.

<sup>49</sup>Brij Narain and S.K. Sinha.

<sup>50</sup>D.C. Lal, DIG (police), Punjab.

<sup>51</sup>The Buch Committee consisted of three members: N.M. Buch, ICS (leader); K.P. Mathrani, ICS (member) and S.K. Anand, IPS (member). The Nepal Government nominated Col. Tila kShamsher, secretary, law & justice,

N.M. Buch, ICS, joint secretary in the home ministry, Government of India, "to study the existing organization of the civil administration in Nepal in the various departments both at the Centre and the districts and make recommendations for its reorganization. . . ." <sup>52</sup>

Secondly, the Committee was also "to assess the requirements of the Nepal Government of Indian officers to help them, the qualifications of officers required, and the period for which their services will be needed." <sup>53</sup>

The Buch Committee "tried within the limited time at their disposal to cover the whole range of administration as far as possible." <sup>54</sup> Within a month, they made a comprehensive and thorough but quick survey of the whole administrative machinery and the bottlenecks in administration in Nepal. They came out with a long list of 143 recommendations <sup>55</sup> submitted on 23 June 1952 to the Government of India and to the Government of Nepal (approximately when the royal advisory regime was being sworn into office), for a general overhaul of the administrative machinery in Nepal. From the administrative point of view, this report is immensely significant and hence deserves special attention.

The Buch Committee report, according to one Nepalese source, "was accepted in principle" <sup>56</sup> by the Nepal government in 1953 and "several of its recommendations were adopted." <sup>57</sup> The Buch Committee's recommendations, as accepted and implemented by the Nepal government "related mainly to the number of Ministries, their internal organisation and the allocation of Government business among them." <sup>58</sup>

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and Lt. Col. Himalaya Shamsheer, secretary, finance, to assist the Committee. See *Buch Committee Report*, pp. 1-3.

<sup>52</sup>*Ibid.*, para 2(i), p. 1.

<sup>53</sup>*Ibid.*, para 2(ii), p. 1.

<sup>54</sup>*Ibid.*, para 326, p. 129.

<sup>55</sup>*Ibid.*, Appendix 1, pp. 131-141.

<sup>56</sup>Ram Chand Malhotra, "Public Administration in Nepal," *The Indian Journal of Public Administration*, New Delhi, October-December 1958, Vol. IV, No. 4, p. 457.

<sup>57</sup>*Ibid.*

<sup>58</sup>*Ibid.*,

The major recommendations<sup>59</sup> urged:

- (1) “. . . need for organising sizeable departments, each under a single head of department, and amalgamation of separate offices dealing with same or similar subjects.”<sup>60</sup>
- (2) “Reduction of the strength of officers in ‘Secretariat departments’ and ‘excessive’ clerical staff in departments and district offices.”<sup>61</sup>
- (3) Proper demarcation of districts and their subdivisions and reduction of the number of bada hakim’s charges to about 20.
- (4) Compulsory consultation with the Public Service Commission in making all new appointments.
- (5) “Services of a Secretary for the Public Service Commission should be obtained from India, if necessary.”<sup>62</sup>
- (6) Existing government servants to be screened by a screening committee.
- (7) Training for “all classes of Government Servants.”<sup>63</sup>
- (8) “The number of Ministries should be reduced to 11 and work should be distributed on a more rational basis.”<sup>64</sup>
- (9) “The number of designations and grades of ministerial Government Servants should be reduced from 15 to about 4.”<sup>65</sup>
- (10) A proper filing system in the Secretariat.
- (11) A chief secretary or secretary-general to be appointed and the post of cabinet secretary be abolished.
- (12) Abolition of hazari goswara and adda janch. Kitab khana’s work to be transferred to comptroller and auditor-general.
- (13) Cabinet secretariat to be amalgamated with the ministry of general administration.
- (14) A separate bada hakim for the Kathmandu valley.

<sup>59</sup>See Appendix I (Summary of Recommendations) of *Buch Committee Report*, pp. 131-141. Lines within quotation marks are the lines of the report in Appendix I, pp. 131-141.

<sup>60</sup>*Ibid.*, para 1, p. 131.

<sup>61</sup>*Ibid.*, para 2, p. 131.

<sup>62</sup>*Ibid.*, para 6, p. 131.

<sup>63</sup>*Ibid.*, para 10, p. 131.

<sup>64</sup>*Ibid.*, para 14, p. 132.

<sup>65</sup>*Ibid.*, para 15, p. 132.

- (15) Merger of the ministry of parliamentary affairs with the ministry of law.
- (16) PWD to be reorganized and placed under one head of department—chief engineer.
- (17) Need for setting up a planning commission.
- (18) “Accounts and Audit Departments should be formed under the control of the Comptroller and Auditor General. . . .”<sup>66</sup> Maskewari Janch Adda and Kumari Chowks to be merged in this Department with the duties of the Hazari Goswara and the Kitab Khana (i.e. maintenance of service records and leave accounts of the gazetted officers).<sup>67</sup> Dravyakosh, tejarath adda and shresta adalat also to be merged with this office.<sup>68</sup>
- (19) “A Central treasury should be organised for the Valley and Muluki Khana, Bali Talab and Kausi merged in it.”<sup>69</sup>
- (20) A reorganization of district administration, with bada hakim having “power of a District Magistrate,”<sup>70</sup> responsible for law and order, collection and safe custody of government dues, control of jails and promotion of general welfare. Systematic tours in districts by bada hakims and mal subbas. Appointment of wholetime patwaris, field kanungos or circle inspectors.
- (21) “Military ranks for Police Officers should be abolished”<sup>71</sup> and new scales of pay; a village chowkidari system; buildings for police lines, police stations; outposts and family quarters and a police training school be introduced.

Other recommendations of the Buch Committee urged the deputation to Nepal of more than 100 Indian officers for varying periods. They were recommended to the posts of chief secretary and under secretaries in each major ministry; in the Public Service Commission, as chief engineer, PWD, and as bada hakims. It also suggested that some officers could be deputed in police administration as well. The Committee wisely recommended that “As far

<sup>66</sup> *Ibid.*, para 79, p. 137.

<sup>67</sup> *Ibid.*

<sup>68</sup> *Ibid.*, para 81, p. 137.

<sup>69</sup> *Ibid.*, para 83, p. 137.

<sup>70</sup> *Ibid.*, para 91, p. 138.

<sup>71</sup> *Ibid.*, para 102, p. 139.

as possible officers deputed to Nepal should be Hindi knowing.”<sup>72</sup>

King Tribhuvan accepted the Buch Committee report. According to the *Nepal Gazette* dated 26 August 1952, he also instructed the royal advisers to establish immediately “. . . a system of administration consisting of honest, loyal, unprejudiced, impartial and public welfare-minded officials, and to draft laws and rules for every part and branch of administration.”<sup>73</sup>

During the advisory regime the 16 ministries were finally reorganized into eleven ministries as recommended by the Buch Committee. The reorganized eleven ministries were the ministry of general administration; ministry of foreign affairs; ministry of defence; ministry of home affairs; ministry of law and parliamentary affairs; ministry of works and communication; ministry of revenue and forests; ministry of education, health and LSG; ministry of commerce, industries and civil supplies; ministry of planning and development; and ministry of finance.

Thus, as we can see, the ministries were now made more sizable.

#### THE ORGANIZATION AND FUNCTIONS OF THE MINISTRIES IN THE CENTRAL SECRETARIAT

On the basis of the Buch Committee report of 1952<sup>74</sup> and Bhandary's unpublished thesis,<sup>75</sup> we may now discuss here the organization and functions of the various ministries in the central secretariat as they replaced the old and archaic departmental set-up of the Ranas after the 1950-51 revolution.

The 11 ministries had the following staff, organization and functions:

The ministry of general administration had:

Secretary	:	1
Deputy secretaries	:	3
Assistant secretaries	:	4
Clerical staff	:	75
		83
Total		83

<sup>72</sup>*Ibid.*, para 142, p. 141.

<sup>73</sup>*Nepal Gazette*, 26 August 1952, Bhadra 10, 2009 V.S.

<sup>74</sup>*Buch Committee Report*, pp. 23-60.

<sup>75</sup>Bhandary, *The Rise and Fall of Rana Regime in Nepal*, unpublished

The ministry dealt with: (i) all appointments; (ii) Public Service Commission; (iii) coordination of the work of various ministries; (iv) supervision of district administration; (v) supervision of state property (vi) supervision of adda janch, hazari goswara, faraskhana etc. and the hospitality department; and (vii) hearing of miscellaneous petitions and political cases.

The ministry of defence had two branches: (i) general; and (ii) budget. It had a secretary, two deputy secretaries and two assistant secretaries. The total number of clerical staff is not available.

It dealt with: (i) general staff work (approval of operational plans and schemes in peace and war, intelligence policy, purchase policy of weapons, foreign courses, etc.); (ii) Adjutant-general's work (policy of recruitment of officers and men; their appointment, promotion, retirement pay and pension rules, discipline, medical policy, etc.); and (iii) quarter master general's work (policy regarding supply of rations and stores, purchase of animals, transportations, buildings, cantonments, etc.).

In short, this ministry dealt with the whole range of administration and policy regarding defence.

The ministry of foreign affairs had the following staff:

Secretary	:	1
Deputy secretaries	:	2
Assistant secretaries	:	3
Chief of protocol	:	1
Director of internal affairs	:	1
Director of Asian relations	:	1
Director of Tibetan affairs	:	1
Gazetted officer	:	1
Superintending surveyor	:	1
Clerical staff	:	39

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Total 51

“On the whole,” as the Buch Committee reported, “the Ministry of External Affairs is well organised into sections and the records are well kept.”<sup>76</sup> This ministry dealt with the whole range of admi-

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thesis, microfilm, ICWA library, New Delhi, pp. 229-33.

<sup>76</sup>Buch Committee Report para 64, p. 25.

**CHART VI**  
**Organization of the Ministry of Finance**

	Secretary						
	Clerks 4						
	Peons 2						
	Departments						
	Revenue	Expenditure	Budget	Rules	Currency and Exchange	Advisory	Report and Despatch
Joint Secy.	—	—	—	—	—	1	—
Deputy Secy.	1	1	1	1	1	3	—
Asst. Secy.	2	3	2	1	2	1	1
Clerks	16	18	5	4	2	not furnished	9
Peons	2	2	2	1	2	2	10

*Source: Report of the Nepal Administrative Reorganisation Committee, New Delhi, Government of India, Ministry of External Affairs, 1952, p. 59.*

nistration and policy regarding foreign affairs.

The ministry of home affairs had:

Secretary	:	1
Deputy secretaries	:	3
Assistant secretaries	:	3
Clerical staff	:	20
		---
Total		27

It dealt with: (i) law and order and police; (ii) political and intelligence; (iii) publicity and press; (iv) judicial administration; and (v) jails.

In short, this ministry dealt with internal law and order and general administration of Nepal.

The ministry of finance had the following staff:

Secretary	:	1
Joint secretary	:	1
Deputy secretaries	:	8
Assistant secretaries	:	12
Clerks	:	52
Peons	:	19
		---
Total		93

As it was organized during the period, it had seven departments, each under a deputy secretary, except two (the advisory, under a joint secretary; and the receipt and despatch under an assistant secretary). These seven departments were: revenue, expenditure, budget, rules, currency and exchange, advisory, receipt and despatch.

Chart VI will give a better idea of the organization of the ministry of finance. As the Buch Committee reported, “. . .the Ministry of Finance is at present one of the best organised of the Ministries in the State. . .”<sup>77</sup>

The finance ministry had under it the whole range of revenue, expenditure, budget, financial rules, currency, etc. to administer with and lay down policy regarding them. As under the Ranas there was no budget, the finance ministry had tremendous difficulties in collecting information regarding revenue and expenditure

<sup>77</sup>*Ibid.*, para 161, p. 60.



of Nepal for the first budget of 2008 V.S.

The ministry of law had two departments:

(a) legislative department, consisting of one secretary, one sardar, one subba, one naib subba, one kharidar, one writer, one naib mukhia, one naib writer, one bahidar, four nausinda, one jamadar and four sepoy; and (b) judicial department, with two officers and 17 clerks.

It dealt with the work connected with drafting and legislation, and appointments on the judicial side, etc.

The ministry of revenue and forests had:

Secretary	1
Deputy secretaries	2
Director	1
Assistant secretaries	3
Clerical staff	27
	—
Total	34

The two deputy secretaries were one each for the revenue and the forests sides.

This ministry dealt with: (i) revenue establishments; (ii) assessment, collection and inspection; (iii) remission of land revenue, (iv) land reforms, tenure, survey and settlement and grant of lands, etc., (v) forest and botanical departments; and (vi) registration, stamps, Akbari excise, central registry, malthisar, etc.

The ministry of education, health and local self-government had three directorates:

(a) Directorate of education, having two deputy secretaries, two assistant secretaries, one director-general, one director of Sanskrit education, one director of archaeology, and one curator of Nepal museum, concerned with the whole range of administration and policy regarding education; (b) directorate of health, having an officer-in-charge of the medical department under whom medical officers of the tarai hospitals, tokha sanitorium, ayurvedic, homeopathic and unani aushadhalayas functioned; and (c) directorate of local self-government, having one deputy secretary, two assistant secretaries and 12 clerical staff to deal with municipalities, panchayats, waterworks, fire brigade and the old Samarjang Company (for road construction).

The ministry of works and communications had two wings:

(a) Works, mines and power, consisting of gharkaj, sadar PWD, PWD hills and tarai, old roads department, new roads department, bureau of mines and Juddha research laboratory, coal mine office, electricity department, and ropeway department.

(b) Transport and communications, consisting of the department of: civil aviation, post office, wireless, telephone, railways and trolley.

The two wings had the following staff:

Secretaries	:	2	:	one each for the two wings
Officer on special duty	:	1	:	for transport and communication
Deputy secretaries	:	4	:	two each for two wings
Assistant secretaries	:	8	:	four each for two wings
Superintendents	:	2	:	for works, mines, and power
Senior clerks	:	10	:	
Junior clerks	:	29	:	
Typists	:	4	:	
		<hr/>		
Total		60		

Thus it had quite a big staff and many departments to look after.

The ministry of planning and development had:

Secretary	:	1
Deputy secretary	:	1
Assistant secretaries	:	2
Office superintendent	:	1
Clerical staff	:	7
		<hr/>
Total		12

It was concerned with (i) general policy and coordination regarding planning and development; (ii) control of natural resources; (iii) economic research; and (iv) multi-purpose development schemes.

The ministry of commerce, industry and civil supplies had:

Secretary	:	1
Deputy secretaries	:	2
Assistant secretaries	:	2
Clerical staff	:	14
		<hr/>
Total		19

It was concerned with: (i) commerce, including registration of companies, of firms, partnerships, patents, trademarks and designs; (ii) industries, including weights and measures and cottage industries; (iii) central purchase; and (iv) civil supplies.

As indicated earlier, these ministries were under the minister-in-charge to whom the permanent civil servants of each ministry were responsible.

Each ministry had also a number of executive departments which were responsible for the actual execution of programmes and activities of that ministry. These departments were also organized on a functional basis with directors as their heads and one or more assistant director and technical and other officers, both gazetted and non-gazetted.

According to Ram Chand Malhotra, in 1958 "the number of such executive and technical departments, as at present constituted, is twenty-nine. . ." <sup>78</sup> These were the departments of:

(1) Publicity, (2) Radio Nepal, (3) Hospitality, (4) Customs Commissioner, (5) HM's Mint, (6) Accountant General's Office, (7) Terai Land Revenue, (8) Hills Land Revenue, (9) Survey, (10) Agriculture, (11) Irrigation, (12) Forests, (13) Food, (14) Village Development, (15) Rapti Dun Development Administration, (16) Co-operative, (17) Industries, (18) Cottage Industries, (19) Civil Supplies and Central Purchase, (20) Mines, (21) Education, (22) Health Services, (23) Nepal Museum, (24) Archaeology, (25) Panchayats, (26) Communications, (27) Public Works, (28) Electricity and Ropeway, and (29) Civil Aviation, Railway, and Road Transport. <sup>79</sup>

As Malhotra observes: "Besides these, there are also the Army Headquarters with the Commander-in-Chief at its head and the Police Department under the Inspector-General of Police." <sup>80</sup>

Thus, it could be said that during the post-revolutionary democratic regime, an attempt was made to organize the central secretariat on the lines obtaining in other progressive countries. Obsolete

<sup>78</sup>Ram Chand Malhotra, "Public Administration in Nepal," *Indian Journal of Public Administration*, New Delhi, Vol. 4, pp. 451-463.

<sup>79</sup>*Ibid.*, pp. 453-454.

<sup>80</sup>*Ibid.*

and obnoxious offices like the hazari goswara were later abolished. As a result of the efforts of Lieutenant-Colonel Himalaya Shamsher, the finance secretary (who was also associated with the Buch Committee), the revised new scales of pay for different grades of government employees were also carefully drawn and enforced.

As recommended by the Buch Committee, a "Civil Service Screening Committee"<sup>81</sup> was also set up at the centre to scrutinize the competence of civil servants. New cadres of the Nepal Civil Service and Nepal Technical Service were also created. A gazette notification of 29 December 1952<sup>82</sup> prohibited government servants from starting staff associations. Other gazette notifications prohibited them from taking part in politics or indulging in corruption, etc. Two new services (Nepal Police Service and Nepal Education Service) were also created during M.P. Koirala's regime. New TA and DA rules and retirement and pension rules were also published by the finance ministry. The home ministry under Tanka Prasad Acharya in the national coalition government initiated a major reorganization in the police department in May 1954. In fact, there were five different forces with police duties:<sup>83</sup>

(1) Civil Police	2,000 men
(2) Ram Dal	500 men
(3) Raksha Dal	4,500 men
(4) Militia	15,000 men
(5) Military detachments assigned to police	1,000 men

The home minister's plan provided for the reduction of the police force from 23,000 to 6,500 men. The variations in the scales of pay of various police forces were also to be removed.

Unfortunately for Nepal's public administration, most of the recommendations of the Buch Committee as well as the efforts of the home ministry were lost in intra-cabinet disputes between M.P. Koirala and Tanka Prasad Acharya. Acharya's schemes of immediate reorganization of the central secretariat, better co-ordination of work between different ministries, preparation of budget, proper audit of accounts, and setting up of an effective

<sup>81</sup>Shrestha, *op. cit.*, p. 13.

<sup>82</sup>*Nepal Gazette*, 29 December 1952.

<sup>83</sup>*Statesman*, 5 May 1954.

anti-corruption department in the central administration, could not materialize due to disputes and cabinet crisis.

#### THE ADVISORY ASSEMBLY

Purely from the public administration point of view, it is necessary here to refer very briefly to the advisory assembly between 1951-55.

In order to secure greater participation of the representatives of the people in the administration of the country and to obtain their aid and advice to the king and the cabinet, Tribhuvan took to the device of advisory assembly in October 1951.<sup>84</sup> It was empowered to consider all questions connected with the legislative and the executive programmes of the government except a vote of no-confidence, the conduct of the king and the royal family, relations with foreign countries, and matters not in the public interest.

The first advisory assembly consisted of 47 members nominated by the king from among the prominent citizens of Nepal, including cabinet ministers as ex-officio members. It met only in July 1952. The second amendment of the interim Constitution<sup>85</sup> provided a legal basis to the advisory assembly. It could have been a good experiment in the field of limited legislative control of the Nepalese administration. But in actual working it failed to make any impact on the administration due to political crisis.

The second advisory assembly of 106 members formed in April 1954<sup>86</sup> also failed because the Nepali Congress refused to join in on the ground that it was a "covert design"<sup>87</sup> to delay elections in Nepal. So it was adjourned later by a proclamation.<sup>88</sup> Later, King Mahendra again revived it in 1958.

And now to sum up so far as the central administration is concerned, we could say that by the beginning of 1955 substantial changes had been effected in its organization, functions, structure and style.

We will now turn to the district administration.

<sup>84</sup>*Gorkhapatra*, 3 October 1951.

<sup>85</sup>For this second amendment see Dhundi Raj Sharma, *Parliament Ra Salahakar Sabha*, Kathmandu, Nepal Academy, 1960, pp. 244-255.

<sup>86</sup>*Ibid.*, pp. 315-320. Also the Royal Proclamation of 13 April 1954.

<sup>87</sup>*Hindu*, 24 May 1954.

<sup>88</sup>Dhundi Raj Sharma, *op. cit.*, p. 344.

*District Administration.* The 1950-51 revolution had badly affected the law and order situation in the districts. Moreover, under the new set-up based on the new Constitution, the "Law and Order State" was to be transformed into a "Social Service State." This meant that the district administration was to be attuned to the new situation.

As already explained earlier,<sup>89</sup> the principal representative of government in the districts (either in the hills or in the tarai) was the bada hakim, on the revenue side, the mal hakim; and on the police side the SP or DSP as the district heads. They worked under the direction and supervision of the bada hakim. The district judiciary (amini or adalat) was under a hakim (subba) normally separated from the executive. This pattern of district administration with minor changes continued during this period as well.

The types of districts (goswaras, gaundas, and garhis) and the rajyas and rajautas as explained earlier also continued.

During 1951-55, the government proceeded gradually to re-organize the district administration to suit the conditions of a democratic set-up and to strengthen the machinery to cope effectively with its main components—law and order, collection of land revenue, developmental activities (canals, irrigation, health, agriculture, transport, education, information, cooperatives etc.), local bodies and panchayats, etc.

Since the bada hakim continued to be the eyes, ears, and nose of the central government in his district, the first and the most important step taken by the government was to vest the bada hakim with authority under Emergency Powers of Bada Hakims Act, 2008 V.S. (1951).

A gazette notification dated Shraavan 22, 2008 V.S. stated: "Whereas it is expedient to provide emergency powers to Bada Hakims for suppressing lawlessness, for fully establishing tranquillity among the public and for carrying out other related functions, His Majesty the King, on the advice of the Cabinet, has promulgated the following Act."<sup>90</sup>

This Act vested emergency powers in the bada hakim for a term

<sup>89</sup>See Chapter III.

<sup>90</sup>*Nepal Gazette*, 6 August 1951, Shraavan 22, 2008 V.S. See preamble to the Emergency Powers of Bada Hakim Act, 2008 V.S.

of six months in order to suppress lawlessness. Since district administration was damaged considerably during the revolution and the situation worsened, the administration took help from the Indian government, and Indian troops helped the district administration to control lawless elements. The anti-Indian elements in Nepal, however, exploited this situation to raise anti-Indian feelings.

The bada hakims were empowered to “arrest and confine” lawless elements and dacoits, “for a period not exceeding three months,” under Section 2 (1) of the said Emergency Powers Act. Section 7 of the Act provided for the working of the district gowara, the district army and the district police, unitedly to disperse an armed assembly of unlawful elements.

On Asadh 17, 2008 V.S.<sup>91</sup> the new government came out with an Ishtihar relating to the clarification and justification of the emergency powers to the bada hakims. It clearly stated: “No progress can be made without the complete establishment of peace and tranquillity. . . .”<sup>92</sup>

And peace and tranquillity gradually returned to the districts, though immediately after the revolution, district administration had many problems. Sometimes the bada hakims were raw and inexperienced and they did not know what was expected of them. Sometimes the police and army in the districts did not cooperate with them. In some districts some kinds of local government were also set up by the Congress or other political parties. Such was the situation immediately after the political change of 1951. So the new government did well in issuing a set of instructions to the bada hakims, along with the promulgation of Emergency Powers of Bada Hakims Act of 1951. Under the Nepal Public Security Act, 1951, the chief hakim of kotwali in Kathmandu valley was also given emergency powers similar to those of the other bada hakims.<sup>93</sup>

<sup>91</sup>*Nepal Gazette*, 30 June 1951, Asadh 17, 2008 V.S. See Ishtihar Relating to the Clarification of the Emergency Powers of the Bada Hakims Act, 1951.

<sup>92</sup>*Ibid.*

<sup>93</sup>*Nepal Gazette*, 27 August 1951, Bhadra 11, 2008 V.S. for the *Powers of the Chief Hakim of Kotwali*. Also see *Nepal Gazette*, 3 September 1951, Bhadra 18, 2008 V.S. for powers to all Bada Hakims and Chief Hakim of Kotwali under Public Security Act, 1951.

As already pointed out, Bhaktapur and Lalitpur continued to be governed by the two brigadier-generals. A new sawal for Bhaktapur and Lalitpur courts dated Marg 1, 2008 V.S. commanded these brigadiers to act according to the sawal and “. . .to look after the welfare of the downtrodden and poor people. . .and do summary trials of those big and rich people and the miscreants who were exploiters and oppressors. . .”<sup>94</sup>

Various transfers, dismissals and new appointments of bada hakims were also made on 9 September 1952 through the Nepal gazette notification, dated 7 October 1952.<sup>95</sup> The administrative reorganization of the 32 districts of Nepal outside Kathmandu valley, into three classes—A, B, and C “on the basis of population, revenue and historic importance,”<sup>96</sup> marked another significant step taken by the new government in the field of district administration. The government tried to bring order and uniformity through this classification. A new pay scale for the different categories of bada hakims was also announced in the *Nepal Gazette* dated Asadh 2, 2010 V.S.

Table XIII indicates the location, name, class and total number of the districts in each class, the traditional nature of their headquarters (goswaras, gaundas and garhis) and the corresponding categories and pay scales of the bada hakims. Obviously, the pay scale was still quite meagre. The bada hakims were promoted from C to B and A districts step by step.

This pattern continued with more or less no change until 21 November 1959.

As Chart VII indicates, the valley of Kathmandu having three cities (Bhaktapur, Lalitpur and Kathmandu) as three districts was now placed under three magistrates (equivalent to the bada hakims). These three magistrates in turn were placed under a valley commissioner, equivalent to the status of the secretary to the government.

<sup>94</sup>*Nepal Gazette*, 16 November 1951, Marg 1, 2008 V S. See *New Sawal for Bhaktapur and Lalitpur Courts*.

<sup>95</sup>*Nepal Gazette*, 7 October 1952.

<sup>96</sup>*Ibid.*, Asadh 2, 2010 V.S.

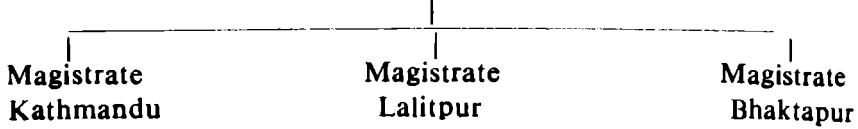


**TABLE XIII**  
**Reorganization of Districts in Nepal into A, B and C Classes and the Pay Scale of the**  
**Bada Hakims as on Asadh 2, 2010 V.S.**

<i>Location of districts</i>	<i>Name of districts</i>	<i>District headquarters</i>	<i>Class of the districts</i>	<i>Total no. in each class</i>	<i>Class of bada hakim</i>	<i>Pay scale of bada hakim in N.C.</i>
East from Kathmandu	Birganj, Saptari, Palhi, Majhkhand, Biratnagar and Mahottari	Goswaras	A class	7	A class	450-900
East from Kathmandu	Palpa and Dhankuta East No. 1 and Jhapa Illam	Gaundas Goswaras Gaunda				
West from Kathmandu	West No.1, West No. 3, Banke Bardiya, Kailali Kanchanpur and Khajahani Sheoraj	Goswaras	B class	9	B class	300-600
East from Kathmandu	Doti East No. 2, East No. 3 and East No. 4	Gaunda Goswaras				
West from Kathmandu	Chisapani and Udaipur West No. 2, West No 4 and Dang Deokhuri	Garhis Goswaras	C class	16	C class	180-360
	Baglung, Salyan, Pyuthan, Gulmi, Dailekh, Jumla, Dadeldhura and Baitadi	Gaundas				

*Source: Based on Nepal Gazette, Vol. II, No. 43, Asadh 2, 2010 V.S. Also on the information and data supplied by Nandlal Joshi, Special Secretary (Training), HMG Nepal.*

CHARI VII  
Valley Administration, 2011 V.S.  
Valley Commissioner



*Source:* Based on *Commissioner, Magistrate Ko Sawal, 2011 V.S., Kathmandu, Gorkhapatra Press, 2011 V.S., pp. 1-58.*

The new government regulated the administration of the valley through a sawal called Commissioner, Magistrate Ko Sawal 2011 V.S.<sup>97</sup> As could be expected, this new sawal ended, in 1954, the old pattern of brigadier-general administration in the cities of Lalitpur and Bhaktapur and the sadar jangi kotwali administration in the city of Kathmandu.

Madhes Goswara Ain, 2012 V.S.<sup>98</sup> marked another achievement of the new government towards regulating the administration of the tarai districts in Nepal in 1954. This ain mentioned the various powers of the tarai bada hakim as given through various sanads and sawals during the Rana period. More emphasis was laid on the maintenance of law and order in the districts after 1950-51 revolution and the bada hakims were made responsible for it.

In November 1954 a big achievement towards the depoliticization of the district bureaucracy was made, when the national coalition cabinet dropped the *ad hoc* political appointment system and included all the bada hakims in the Nepal Civil Service. We could say that it was necessary in the interest of clean, efficient and impartial administration in the districts.

#### ADMINISTRATIVE REORGANIZATION, SECOND PHASE, 1955-59

From the death of King Tribhuvan at Zurich in 1955 to the setting up of the first popularly elected government of B.P. Koirala in 1959, King Mahendra took such measures and formed such ministries as would strengthen the monarchy and assert his full control over the central and district administration. He took undue interest

<sup>97</sup> *Ibid.*

<sup>98</sup> *Madhes Goswara Ain, 2012 V.S., Kathmandu, Gorkhapatra Press, 2012 Sal, pp. 1-70.*

in policy and decision-making and frequently interfered with the day to day administration. He allowed the Ranas too much influence in his councils, showed disrespect for democracy and party politics, tried to win over the army and the bureaucracy and many times stood in the centre of political struggles.

The new political outlook and mood was followed by major administrative changes and reorganization during the five governmental changes in a short span of four years, 1955-59.

(a) *Ministerial Changes.* King Mahendra started with an advisory government and ended with a cabinet with himself as its prime minister. Out of the five governments during this period, one was royal advisory, the other the king's direct rule, the third caretaker rule, and two by political leaders. It is necessary to refer briefly to each one of them.

(i) *The royal advisory government.* King Mahendra accepted the resignation of M.P. Koirala on 2 March 1955. A month later, on 14 April he took the entire country by surprise when he announced a five-man council of royal advisers, with Sardar Gunjman Singh, an important figure during Rana rule, as the principal adviser and Lieutenant-General Anand Shamsher as his deputy. Other advisers were also men of the old order. It was a definite throw-back to the days of the Ranas and a shocking challenge to democracy. The king used each one of the advisers as his instrument and his protege, to extend the royal power and authority and take part in the day-to-day governance of the country. Naturally, the various political parties agitated against the royal advisory rule.

In order to counteract the propaganda and demands of the various political parties to terminate the royal advisory government, the king called a convention of all political, social and cultural associations in Nepal in the royal palace on 8 May 1955 to discuss the future set-up for the country. Some 129 associations<sup>99</sup> attended the conference. The four major political parties—the Nepali Congress, the Nepali National Congress, the Praja Parishad and the National Democratic Party—boycotted the convention.<sup>100</sup>

In his opening address, King Mahendra lamented:

<sup>99</sup>Associations like the Barbers Union, Washermen's Union, etc. were also invited.

<sup>100</sup>*Times of India*, 10 May 1955.

. . . Four round years have passed since democracy was brought in by the joint efforts of us all. During this period the Government has been run by several Cabinets of Ministers from several political parties turn by turn and the number of ministers are now about thirty. . . . Thus the average life of one cabinet is about eight or nine months. Concrete achievement could not ensue from such a state of affairs. Contrarily, people began laughing in their sleeves.<sup>101</sup>

He thus ridiculed democracy. In this convention he also poured scorn on the four political parties which had boycotted it. But unexpectedly the convention concluded with a note against the continuance of direct rule and dissolution of the advisory government. It also resolved that general elections should be held as quickly as possible and democratic institutions be fostered.<sup>102</sup>

In the meantime, the king frequently went on royal tours of the Nepal districts, perhaps to have direct contact with the people and the district administration. Emergency powers were given to the bada hakims, magistrates and valley commissioner to arrest, detain, extern or intern any person on grounds of internal security. The various political parties continued their agitation against the advisory rule of Mahendra. Yet the royal advisers continued till 27 January 1956.

(ii) *Praja Parishad government.* The whole country was again taken by surprise when the king announced the formation of a new ministry consisting of four Praja Parishad ministers and three royalist Independents, with Tanka Prasad Acharya as prime minister.<sup>103</sup> Gunjaman Singh, former chief royal adviser, held finance and planning, and Purendra Vikram Shah, the defence portfolio.

The Acharya government constituted a complete reversal of King Mahendra's earlier stand to have a multi-party coalition cabinet over which the king himself would preside. Moreover, strangely enough, the Nepali Congress was completely ignored in the ministry making.

<sup>101</sup> *Gorkhapatra*, May 9, 1955.

<sup>102</sup> *Ibid.*, 18 May 1955.

<sup>103</sup> *Ibid.*, 30 January 1955.

However, two things were clear from the very beginning: that the new prime minister must be a tool in the hands of the king and, secondly, if any friction arose between the popular ministers and the royal nominees, the former must vacate. Later developments proved both to be true. At a public meeting in Birganj, T.P. Acharya said that he would not tolerate the lowering of the status of the monarchy in Nepal.<sup>104</sup> He even questioned the advisability of having "a General Election or a Constituent Assembly."<sup>105</sup> Other parties suspected King Mahendra of trying to go back from King Tribhuvan's pledge. Therefore, they attacked and challenged both him and T.P. Acharya. T.P. Acharya had declared that a Constituent Assembly would divide the royal authority and would mean two sovereigns in the country.<sup>106</sup> All these political developments threw Nepal into the worst political controversy centering over the questions of sovereignty, general elections, Constituent Assembly, the monarchy, etc. Meanwhile, an interesting development took place. T.P. Acharya was brought to the supreme court on a petition by B.P. Koirala, charging him for violating the royal proclamation of 18 February 1951 and the existing law<sup>107</sup> regarding elections to be held for a Constituent Assembly. Obviously, the supreme court's verdict was against B.P. Koirala. Meanwhile, Baba Narharinath Yogi emerged as a crusader for the monarchy.

Two developments of long-range significance took place during Acharya's government. First, Nepal came closer to China. The Acharya government concluded on 20 September 1956 a treaty of friendship between China and Nepal.<sup>108</sup> Nepal recognized *de jure* sovereignty of China over Tibet. China assured Nepal six crores rupees aid over the following three years. Secondly, the Acharya government took effective measures to reorganize the administrative machinery in order to improve and modernize it. We shall discuss it in the following pages.

By the beginning of 1957, friction between the Independents and

<sup>104</sup>*Hindustan Times*, 19 June 1956.

<sup>105</sup>*Gorkhapatra*, 8 June 1956.

<sup>106</sup>*Lok Vrata*, 13 September 1956.

<sup>107</sup>People's Representation Act, 1952, HMG Nepal, 1951.

<sup>108</sup>*New Developments in Friendly Relations Between China and Nepal*, Peking, 1960, pp. 1-6.

the Praja Parishad ministers over land reforms, economic plans, administrative reorganization, etc. assumed such proportions that T.P. Acharya submitted his resignation on 5 July 1957 with a request to the king to allow him to form a fully homogeneous cabinet.<sup>109</sup> Strangely enough, after accusing the Praja Parishad government of incompetence and betrayal of the people, a royal proclamation of 15 July 1957 commissioned K.I. Singh to form a cabinet.

(iii) *111 days of K.I. Singh's cabinet.* A mysterious figure since his escape to China and return to Nepal in 1955, K.I. Singh's appointment took the whole country by surprise.

A royal proclamation of 26 July 1957 read:

. . .Whereas it is my firm wish that democracy should be put on a firmer foundation and direct rule is repugnant to me. We have, therefore, after a study of a report submitted by Dr. K.I. Singh, as per my Directive of July 14, 1957, by these present be pleased to constitute a Cabinet headed by Dr. K.I. Singh.<sup>110</sup>

In addition, another proclamation announced the constitution of a seven-man national council; a five-man work-expediting committee; and a planning commission, "to assist and advise the Government to carry on the governance of the realm."<sup>111</sup>

The new cabinet had 11 members. In K.I. Singh's appointment, the Nepali Congress, the Nepali National Congress and the Praja Parishad saw a threat to civil liberties. K.I. Singh was supposed to be the king's man. His few statements confirmed it. In one of his statements he had said that the interim Constitution which had promised to give the people an elected Constituent Assembly was fit to be thrown into a wastepaper basket.<sup>112</sup> Another statement announced that the promised general elections would not be held. However, the above political parties formed the United Democratic Front to defend democracy in Nepal and assert that soverei-

<sup>109</sup>For the text of T.P. Acharya's resignation letter, see the *Commoner*, Kathmandu, 16 July 1957.

<sup>110</sup>For this Royal Proclamation see *Gorkhapatra*, 26 July 1957.

<sup>111</sup>*Ibid*

<sup>112</sup>*Nepal Press Digest*, Kathmandu, 17 June-1 July 1957.

gnty lies with the people.

Strangely enough, K.I. Singh later ran into conflict with the king as well. He decided to root out corruption from the administration and promised to recover 38 million Nepali rupees and 57 million Indian rupees alleged to have been embezzled by the previous ministers and their secretaries. He found corruption everywhere. But he started its correction with the palace itself and suggested to the king the dismissal of his royal principal private secretaries. About 117 officers in the central secretariat and in the districts were also on K.I. Singh's list for dismissal.<sup>113</sup> He wanted reforms in the army also, and was generally regarded as a strong man. However, the major political parties, the bureaucracy, the army, and the palace had all grievances against K.I. Singh.

On 14 November 1957 K.I. Singh was dramatically dismissed by King Mahendra due to "compelling circumstances."<sup>114</sup>

A Kathmandu paper commented: "Dr K.I. Singh came into the Government like a thunder bolt and disappeared like a lightning flash. . . the shortest lived Government so far."<sup>115</sup>

(iv) *Mahendra's direct rule.* A royal proclamation read: ". . . I, with great reluctance, am constrained to take the reins of Government in my own hands. . ."<sup>116</sup>

Thus, Nepal once again passed under the direct rule of King Mahendra. The United Democratic Front was not happy with the reimposition of the king's direct rule which it considered a blow to democracy. So it continued its agitation against Mahendra's direct rule.

*Nepal Pukar* published an article which observed:

Today the King of Nepal has become so autocratic that the people pale into insignificance before him. He sets up cabinets favourable to him according to his wishes and dissolves them. That has affected the administrative stability and the progress of the country. . . ."<sup>117</sup>

<sup>113</sup>*Statesman*, 28 November 1957.

<sup>114</sup>*Nepal Gazettee*, Kartik 29, 2014 V.S.

<sup>115</sup>*Commoner*, 14 May 1957.

<sup>116</sup>*Nepal Gazettee*, Kartik 29, 2014 V.S.

<sup>117</sup>This article was written by N.D. Prakash, *Nepal Pukar*, Kathmandu, 6 December 1957.

These words were sufficient to expose Mahendra's game in the politics of Nepal. But the king was unperturbed. He again took to the strategy of calling a conference of a wide variety of political organizations to the royal palace, this time to decide a date for general elections. Obviously, opinions were divided. The king ruled in the meantime, and tightened his hold over the country and the administration.

After much chaos and confusion, a mass civil disobedience movement, strikes, lathi-charges and arrests, a royal proclamation announced 18 February 1959 as the date for general elections in Nepal.<sup>118</sup> But the goals of this election were not announced. While Praja Parishad wanted general elections for a parliament, the Nepali Congress and the Nepali National Congress demanded it for a Constituent Assembly as pledged by King Tribhuvan.

A royal proclamation of 1 February 1958 however settled the controversy. The general elections were to be held for a parliament (and not for a Constituent Assembly). A new Constitution framed by a commission was to replace the interim Constitution of 1951. A ministry without a prime minister and an advisory assembly was to work during the interim period.<sup>119</sup>

In pursuance of this proclamation, the king appointed a Constitution Drafting Committee consisting of five members on 16 March 1958.<sup>120</sup> Later, Sir Ivor Jennings was also invited to help this committee.

On 15 May 1958 a cabinet without a prime minister was announced. It had ministers from the Nepal Congress, the Gurkha Parishad, the Rashtriya Congress, the Praja Parishad and two Independents to work for the holding of General Elections, help in framing a new Constitution and carry on day-to-day administration.<sup>121</sup> The Advisory Assembly met on 26 November 1958; this we shall discuss later on.

(v) *A cabinet without prime minister.* This six-member cabinet without a prime minister was Mahendra's novel experiment, where

<sup>118</sup>*Gorkhapatra*, 16 December 1957.

<sup>119</sup>*Ibid.*, 3 February 1958.

<sup>120</sup>They were S.P. Upadhyaya and H.P. Joshi (Nepali Congress), Randhir Subba (Gurkha Parishad), Ram Raj Pant, and Bhagwati Prasad Singh (as Chairman).

<sup>121</sup>*Gorkhapatra*, 16 May 1958.



the chairmanship was to be "assumed by me personally or someone among the Ministers to be designated by me."<sup>122</sup> Actually, Mahendra was his own prime minister now. The cabinet was extremely heterogeneous in character. So it was useless "to expect great things" from this caretaker government except the general elections, the new Constitution and day to day administration. But the political parties in general welcomed the end of direct rule and the coming of general elections.

During its tenure of office till 26 May 1959, this cabinet did manage to take some important decisions:

(1) It summoned K.I. Singh to a special court, constituted to examine charges against him of inciting the army to disloyalty, embittering relation with friendly countries, and fomenting parochial feelings. This case against a Nepalese prime minister was, however, dismissed.

(2) It set up an advisory assembly.

(3) It published Nepal's first People's Representation Act.

(4) It set up a council of state consisting of the king's two brothers (Himalaya and Basundhara) and Subrana Shamsher, Khadga Singh Rana and Hansman Singh.

(5) It promulgated the new Constitution, given by the king on 12 February 1959 and abrogated the 1951 Constitution.

And with this tenth Government of Nepal, which terminated in 1959, ended a phase of politics full of trials and tribulations.

(b) *Central Administration.* From 1955 to 1959 King Mahendra ruled more or less directly in spite of protests from the people and political parties. He played a dynamic role in administration, as if he were the chief executive, placing loyal elements in key posts, overhauling administrative machinery at the central and district levels, hearing people's grievances against ministers and administrators, forming and dissolving cabinets, with usual sermons to political parties and blaming the political leaders for all the political and administrative chaos.

Soon after King Mahendra ascended the throne in March 1955 he reorganized the central administration. The number of ministries was also reorganized and reduced to nine as follows:<sup>123</sup> ministry of

<sup>122</sup>*Ibid.*

<sup>123</sup>Shrestha, *op. cit.*, p. 14.

home affairs; ministry of foreign affairs; ministry of defence; ministry of finance and land revenue; ministry of food, agriculture and forests; ministry of commerce, industry, planning and development; ministry of health, education and LSG, ministry of public works, transport and communications, and ministry of law and parliamentary affairs.

Thus, the two separate ministries during 1951-55 were now merged into one (commerce, industry, planning and development). The general administration ministry was merged with the home ministry. Otherwise, the organization and functions of the various ministries remained the same as earlier.

In a major reorganization of the central secretariat on 14 October 1955, an entirely new set of secretaries was appointed for the various departments in the central administration. Their number was also reduced from 12 to nine. The secretaries appointed were the king's loyal men; so the press and the political parties protested.

A new post of "chief secretary" was created. He was also to serve as head of the anti-corruption department. The Buch Committee had recommended:

We feel that, as in the States of India, one of the Secretaries to Government should be designated as Chief Secretary or Secretary-General . . . . The Chief-Secretary or Secretary-General should be in charge of the General Administration Ministry and coordinate the work of all Secretaries. . . . It is only in this manner that co-ordination, discipline and efficient working of the Secretariat could be ensured. . . .<sup>124</sup>

In view of this recommendation the creation of this post was an important step in the administrative reorganization of Nepal and a major achievement of the royal advisory regime.

Unfortunately, the Public Service Commission was not consulted while making these changes and appointments. New scales of pay were also announced on 7 October 1955 and the limit was fixed at a maximum of Rs 975 and minimum of Rs 30 per month for all government employees. The evil Rana practice of double payment

<sup>124</sup>*Buch Committee Report, op. cit.*, para 47, p. 19.

of salaries (for holding ranks towards the military as well as civil sides) was also abolished.

New grades of gazetted and non-gazetted officers, senior and junior clerks and sepoy and orderlies were created to cover all the government employees.

An administrative reorganization act<sup>125</sup> was also promulgated in October 1955.

In the same month, on 21 October, the personnel of the Public Service Commission, the Election Commission, the Law Commission and the Census Commission (all statutory bodies) was changed<sup>126</sup> by King Mahendra definitely in order to pack them with his own men.

Thus, during Mahendra's direct rule, a series of administrative changes and reorganization of central administration took place as we have stated above. The reorganization of the police administration and the district administration will be dealt with separately.

But "not until Tanka Prasad Acharya's Prime Ministership which extended a record eighteen months from January 1956 to July 1957, was it possible to re-examine administrative issues,"<sup>127</sup> and effect administrative changes toward the improvement of administration and "to carry out a many-sided programme of national development."<sup>128</sup>

The Acharya government prepared a draft five-year plan for 1956-61 period. For the first time it emphasized the importance of administration and planning. It observed:

Successful conduct of the five-year plan is inconceivable without substantial modifications in our governmental organization and the creation, as needed, of new mechanism. For the administrative machinery which we have inherited from the past is coated with rusty procedures, laws, regulations and practices that slow down and obstruct even routine operations. . . .

<sup>125</sup>*Gorkhapatra*, 14 October 1955.

<sup>126</sup>*Nepal Gazette*, 25 October 1955, Poush 11, 2012 V.S.

<sup>127</sup> Goodall, *Report on Administration in Nepal to the Prime Minister, 1952*, script, UN, Kathmandu.

<sup>128</sup>*Draft Five-Year Plan; A Synopsis*, Kathmandu, Government of Nepal, p. 6.

So, the Acharya government decided to improve the administrative machinery to make it more "efficient and smooth running."<sup>129</sup> The object was an over-all improvement in the structure, rather than a mere change of personnel.

This time, and for the first time, an indigenous effort was made to reorganize the Nepalese administration, without the help of foreign experts. We shall consider now the efforts and achievements of the Administrative Reorganization Planning Commission set up by the Acharya government in July 1956.

#### ADMINISTRATIVE REORGANIZATION PLANNING COMMISSION (ARPC)

In July 1956, an Administrative Reorganization Planning Commission (ARPC) was set up in the central secretariat with the secretaries of the various government departments as its members. Prime Minister Tanka Prasad Acharya was its chairman. It was a high power commission for administrative reorganization and perhaps next only to the Buch Committee of 1952, was the biggest post-revolutionary phenomenon in the field of Nepal's efforts towards administration modernization.

"The Commission formulated its own terms of reference covering broad aspects of public administration in Nepal and outlined its programme of work and priorities."<sup>130</sup>

The achievements of ARPC were many:

(1) It drafted Nepal's first Civil Service Act<sup>131</sup> on 9 September 1956, which provided for the constitution, appointment, tenure, protection, demotion, transfer, promotion, appeal, etc. of civil servants in the different branches of Nepalese administration, both at the central and district levels.

(2) In exercise of powers conferred under Sections 4 and 7 of the Act, the Civil Service Rules<sup>132</sup> were also framed in 1956. These rules were amended from time to time.<sup>133</sup>

(3) Setting up of the O & M office in July 1956 in the central

<sup>129</sup>*Ibid.*

<sup>130</sup>Ram Chand Malhotra, *op. cit.*, p. 457.

<sup>131</sup>See for the *Nizamati Seva Ain*, 2013 V.S. *Nepal Gazette*, 11 September 1956, Bhadra 26, 2013 V.S.

<sup>132</sup>See *Nizamati Seva Niyamavali*, 2013 V.S., HMG Nepal, MLR.

<sup>133</sup>Amendments were done in 1959, 1961 and 1964. See for these amendments *Nepal Gazettes*, 7 June 1959, 16 November 1961, and 28 February 1964.

administration. It was located in the finance ministry, as recommended by the ARPC.

(4) It recommended the adoption of a secretariat manual, prepared by a few senior civil servants at their initiative.

(5) Programmes for the training of the senior and junior civil servants in public administration were also recommended by the ARPC.

(6) It recommended new pay scales for the several services to be constituted under the Nizamati Seva Ain, 2013 V.S.

(7) It recommended major changes in the structure of the district administration in Nepal, which we shall discuss later. It also prepared a manual for the bada hakims.

(8) In the field of fiscal management, a few reforms in budget preparation were also recommended by the ARPC. They were not, however, implemented due to lack of initiative and courage on the part of the ministry of finance.

(9) It also recommended screening of civil servants both senior and junior.

Most of the recommendations of the ARPC were carried out and implemented. The Civil Service Act and the Civil Service Rules of 1956, the O & M office in the central secretariat, the secretariat manual and the manual for bada hakims were some of its important contributions to Nepalese public administration.

Two civil service screening committees were also constituted, the first was headed by the prime minister to handle screening of selection grade officers and the other was headed by the foreign minister to screen high level officers below the secretariat level. But this screening proved abortive. In mid-1957, the prime minister had completed the screening of top administrators. Before the results could be published, T.P. Acharya was unfortunately out of office, after 18 months of good administrative reforms and reorganization in Nepal.

The 111-day government of K.I. Singh did not pay attention to the ARPC. It became a defunct body, though it had great potentialities and could have served as a permanent forum for the departmental secretaries to meet and discuss the administrative issues and explore ways and means of improvement under the chairmanship of the prime minister,

K.I. Singh announced on 6 August 1957 the screening of junior government employees in the secretariat. We have seen how he pledged to root out corruption and had prepared a long list of high officers guilty of corruption in the palace, in the Singha Darbar, and in the districts. Generally considered to be a strong man, he gave the impression of a great administrative revolution being in the offing in Nepal.

On 12 August 1957,<sup>134</sup> he announced his decision of setting up a special police establishment and a special intelligence section, both to be staffed by ex-army officers of the British and Indian Gurkha regiments, under his direct supervision. They were to root out corruption and maintain general efficiency and integrity in the administration.

On 23 October K.I. Singh preferred to take action when the king ignored him. He suspended the acting home secretary and the assistant education secretary. Perhaps being afraid of K.I. Singh, the chief secretary, Chandra Shamsher Thapa, who had frictions with him, went on special leave on 25 October.

On 14 November 1957 the chief secretary rejoined duty and the prime minister was dramatically dismissed by the king that evening, through Radio Nepal.

Later, on 29 May 1958, K.I. Singh deposed before a special court that the chief secretary, the education secretary, the finance secretary and a few others had used corrupt means to amass wealth, and that when he wanted to dismiss them, the palace protected them, and in turn he found himself dismissed by the king. King Mahendra resumed the reins of government for the second time on 15 November 1957.

### THREE IMPORTANT ADVISORY BODIES IN THE NEPALESE ADMINISTRATION

The six-month direct rule of the king saw the establishment of three important advisory bodies to supervise the Nepalese administration. These bodies were:

(1) The National Council (Rashtra' parishad) constituted under the Rashtra Parishad Ain, 2014 V.S.<sup>135</sup> which came into force with

<sup>134</sup>*Gorkhapatra*, 12 August 1957.

<sup>135</sup>*Rashtra Parishad Ain*, 2014 V.S., HMG Nepal, MLR.

effect from 11 November 1957, with the objective of advising His Majesty on matters of the country's peace, prosperity, defence and administration.

The National Council was to consist of one chairman and six other members, appointed by the king and holding office at his pleasure, but normally for a term of five years. The prime minister and the chief justice were to serve as ex-officio members of the council. As constituted by the king, it consisted of three members with the third, Prince Vasundhara, as its chairman.

Ram Chand Malhotra observes: "The members of the *Parishad* have been given the status and privileges of the Ministers of the Cabinet. The *Rasthra Parishad* has a Secretariat of its own with a Civil Servant as its permanent Secretary who has the same status as a Secretary to His Majesty's Government."<sup>136</sup>

It appears that the National Council, thus, provided the king another institutional device to control and supervise the administration and serve as a super-cabinet.

(2) The Work-Expediting Committee or WEC (*Karya Shighra Karak Samiti*) was formed under the *Karya Shighra Karak Samiti Ain*, 2014 V.S.<sup>137</sup> with five members, one serving as its chairman. *Halkhabar*, dated 25 February 1958, reported that Major-General Yoga Vikram Rana was appointed its chairman.<sup>138</sup> All members were to be nominated by the king at his pleasure for normally a term of three years. However they could be dismissed earlier. The members of the WEC were given the status and salary equivalent to that of a chief secretary to the government.

Thus, the WEC was set up to serve as a sort of super O & M and super chief secretariat to ensure quick implementation of the government's programmes and decisions and to supervise and invigilate the general working of all government departments in the central secretariat.

According to a Nepalese source

The *Samiti's* duties and powers as laid down in the Act, are to see that Government's decisions and sanctions are carried out

<sup>136</sup>Ram Chand Malhotra, *op. cit.*, pp. 459-60.

<sup>137</sup>*Karya Shighra Karak Samiti Ain*, 2014 V.S., HMG Nepal, MLR.

<sup>138</sup>*Halkhabar*, 25 February 1958.

appropriately and without delay, to expedite matters of public interest, to make recommendations to the Government on how to expedite the execution of Government's programmes, and to assist the various Secretariats in the Royal Palace in matters wherein the *Samiti's* opinions may be asked for. The *Samiti* has been given the authority to correspond directly with all Government offices and it has been obligatory upon all civil servants to tender all assistance and cooperation to the *Samiti*.<sup>139</sup>

The WEC was authorized to recommend to the government necessary disciplinary action against any government servant who neglected duty, or showed irresponsibility, or caused unnecessary delay in the disposal of his work.

The WEC could make its own rules of procedure which, when approved by the government, were to have the force of law. It was to submit quarterly reports of its activities to the king through his principal private secretary in the palace and to the prime minister.

An extraordinary gazette notification, dated 13 May 1958, published the "Work Expediting Committee Rules" (2014 V.S.) determining the rules regarding its meetings and quorum; notice of the decision or of the sanction; functions of the concerned government departments or offices; notice on completion of work; investigation and advice; submission of report to the government; inspection; and warning and punishment.

The gazette notification stated:

The committee shall include the secret report of the performance or the non-performance of any work by any person in a speedy manner in the report to be submitted to H.M. the King and to the Prime Minister, every three months.<sup>140</sup>

It further authorized the WEC "to inspect the district office in order to expedite any work, which has been decided or sanctioned by the Government. . . ."<sup>141</sup>

It was also said that ". . .the Government has decided to enforce

<sup>139</sup>Ram Chand Malhotra, *op. cit.*, p. 460.

<sup>140</sup>*Extraordinary Gazette Notification*, 13 May 1958.

<sup>141</sup>*Ibid.*



the Act from (Falgun 16, 2014) February 28, 1958.”<sup>142</sup>

Unfortunately, no information or material is available regarding the working of the WEC. But it could definitely be considered as a novel administrative experiment in the Nepalese public administration, undertaken by the king during his second direct rule period for the “speedy and correct implementation of the Government decisions.”<sup>143</sup>

(3) The Planning Commission (*Yojana Mandal*) was set up on 3 January 1958 under the *Yojana Mandal Ain*, 2014 V.S.<sup>144</sup> by King Mahendra to implement the first five-year plan (formally approved on 15 March 1958, although in force since October 1957).

The Planning Commission consisted of the king’s brother, second Prince Himalaya as its chairman, the ex-C-in-C and former planning and development minister, General Kiran Shamsher as vice-chairman, and four other members, all nominated by the king. The four members were all civil servants. One of them was to act as its secretary. All had the status of chief secretary to the government. It was appointed for five years. But all the members held office during the king’s pleasure. The commission was to have direct access to all the government offices and papers relating to development work.

A distinguishing feature of the Planning Commission was its Administrative Committee (one of the 20 different committees formed by the commission), consisting of a chairman and a vice-chairman, a member-secretary, the chief secretary to the government, deputy secretary of the O & M office and other important and concerned departmental secretaries. The functions it performed concerned not only the administration of the five-year plan or development projects, but the work of total administrative reform (the function left by the ARPC).

With all these three advisory bodies, the king was very closely associated and identified. As *Kalpana*, a Kathmandu paper, reported on 28 April 1958: “Employees of the Department of Statistics stopped King Mahendra’s car and related their grievances to him to have his assurance to employ them on a permanent basis,

<sup>142</sup>*Ibid.*

<sup>143</sup>*Ibid.*

<sup>144</sup>*Yojana Mandal Ain*, 2014 V.S., HMG Nepal, MLR.

implemented.”<sup>145</sup> And it was actually implemented.

During this period of direct rule, the designation of *Nepal Sarkar* (or Government of Nepal) was officially changed to *Shri Panch Ko Sarkar*<sup>146</sup> (His Majesty's Government) with effect from 14 April 1958, and all the foreign embassies of Nepal were now designated as “Royal Nepalese Embassies.” This was almost proof that the effective restoration of monarchy in Nepal was done not by King Tribhuvan but only by his son, Mahendra. Also, that sovereignty lay with the king and not with the people. During the period of direct rule the personal secretariat of the king also became more powerful than the civil secretariat.

During the period of a caretaker cabinet or a cabinet without a prime minister, sworn in on 15 May 1958, some measures of administrative importance taken were:

Home Minister D.R. Regmi brought in some positive reforms in the administration. He made the home ministry work very hard to clear old files;<sup>147</sup> rules were framed under the home ministry to reorganize the anti-corruption department;<sup>148</sup> new rules were framed for the internal working of the central secretariat;<sup>149</sup> jail reforms rules were passed;<sup>150</sup> and it was decided that all appointments would now be made on the recommendation of the Nepal Public Service Commission.<sup>151</sup>

The cabinet formed a committee under the chairmanship of the chief justice to study drafts of the penal code and criminal procedure code and other legislation prepared by the Law Reforms Committee and give them final and democratic shape.<sup>152</sup>

Subrana Shamsher, designated as chairman of the caretaker government, submitted a scheme for the reform of the administrative machinery to the king.<sup>153</sup> The scheme was carefully drafted and given final shape. What happened to it one does not know.

<sup>145</sup>*Kalpana*, 28 April 1958.

<sup>146</sup>*Samaj*, 16 April 1958.

<sup>147</sup>*Naya Samaj*, 16 July 1958.

<sup>148</sup>*Halkhabar*, 18 July 1958.

<sup>149</sup>*Naya Samaj*, 16 September 1958.

<sup>150</sup>*Halkhabar*, 21 September 1958.

<sup>151</sup>*Nepal Samachar*, 30 September 1958.

<sup>152</sup>*Nepal Samaj*, 26 September 1958.

<sup>153</sup>*Nepal Samachar*, 6 September 1958.

Perhaps it did not find favour with the king. It included proposals for amendment of the Civil Service Act, 1956.

The Government Administrative Training Centre planned to train nearly 1,000 persons at the centre.<sup>154</sup> Testimonials were distributed to the trained personnel.

On 22 May 1958 under the Royal Nepal Airlines Corporation Act<sup>155</sup> (enacted by the new government), a public corporation was set up to manage and run a national airline service. Its shares were divided as follows:

Government	51 per cent
Managing agents	25 per cent
Public	24 per cent

It may be considered as an important development in the field of public corporations in the Nepalese administration.

A Board of Transport and Communication was set up with Prince Himalaya as chairman.<sup>156</sup>

With the enactment of the Council of State Act,<sup>157</sup> on 29 May 1958 a council was constituted with two brothers of the king, and Subarna Shamsheer and two other Ranas, to effect coordination with the existing administration and political framework. The council may be considered to be an intermediary institution between the king and the new cabinet, a sort of "super-cabinet" to help the king keep his grip over the administration even when he was out on frequent foreign tours. However, it could not dismiss the cabinet.

Its administrative duties included: examination of steps taken by the ministers in regard to appointment and dismissal of government servants; reporting these cases to the king for approval; and enforcing any proclamation issued by the king from outside the country.

In January 1959, more powers were given to the magistrates and the police to deal with lawlessness, corruption, the press and publicity.<sup>158</sup>

We could thus say that during the caretaker government, besides

<sup>154</sup>*Naya Samaj* 9 September 1958.

<sup>155</sup>Royal Nepal Airlines Corporation Act, 1958, HMG Nepal, MLR.

<sup>156</sup>*HalShabar* 20 January 1959.

<sup>157</sup>*Nepal Gazettee*, 29 May 1958.

<sup>158</sup>*Samaj*, 6 January 1958.

the running of day to day administration, few important administrative reform measures were effected. Home Minister D.R. Regmi may specially be said to be more enthusiastic towards administrative reforms.

The *Nepal Times* dated 16 August 1958 reported that D.R. Regmi in a speech at Biratnagar had said: "Though the Rana regime had been overthrown yet the people had not been able to overthrow the laws and tendencies of that period."<sup>159</sup>

So, in September 1958, a committee was set up to study and finalize law reforms.<sup>160</sup> The home ministry also finalized the rules and regulations regarding the prevention of corruption and defining the respective powers of the secretariat staff and of the bada hakims,<sup>161</sup> in pursuance of the home minister's revelation at Kathmandu that "solid rules would be framed in order to facilitate the enforcement of the anti-corruption law."<sup>162</sup>

#### THE ADVISORY ASSEMBLY

The royal proclamation of 1 February 1958 had announced the revival of a nominated advisory assembly very different in composition from the previous ones. The indirect nomination of members was done on the basis of a panel of five names recommended by a district selection board in each district. This board included the bada hakim, the mal hakim, the amini adalat hakim and two noted citizens of the district. The five names were voted for by the people in their goswaras, gaundas, and garhis. The king himself made the final nominations from these lists sent from the various districts.<sup>163</sup>

The scope of the advisory assembly was as limited as those of the preceding two advisory assemblies. This assembly had 91 members. Later, 13 new members were added. It was inaugurated on 26 November 1958 and was dissolved after 22 days. A heterogeneous body, the assembly, supported by Independents and smaller political parties, demanded the postponement of the general election. But its deliberations or decisions had no impact on the

<sup>159</sup>*Nepal Times*, 16 August 1958.

<sup>160</sup>*Nepal Samaj*, 26 September 1958.

<sup>161</sup>*Nepal Samaj*, 15 September 1958.

<sup>162</sup>See D.R. Regmi's speech in *Prakash*, Kathmandu, 10 August 1958.

<sup>163</sup>Dhundi Raj Sharma, *op. cit.*, p. 384.

administration. The government decided to have elections on the scheduled date. One does not know why. After all, Mahendra established the assembly in the interim period just before the elections.

We may conclude that during 1955-59, the Nepalese administration was toned up. A strong central administration was set up almost for the first time after the revolution. But the central theme in all these administrative changes and reorganization was that the Nepal Sarkar had now become Shri Panch Ko Sarkar.

(c) *District Administration.* The major achievement of 1954 in the district administration—the depoliticization of the bada hakims—was lost in August 1955 when the royal advisory government again reverted to the old *ad hoc* political appointment system. Sixteen bada hakims were dismissed on 23 August 1955 and were replaced by the king's men—mostly Shahs and Ranas. Therefore, the Public Service Commission was also not consulted and the bada hakims were dropped out of the regular civil service cadre. They were now political appointees, their tenure depending upon the turn of the political storm at Kathmandu.

To tone up police administration in the districts, King Mahendra divided the country into three zones (western, central and eastern) with headquarters at Biratnagar, Kathmandu and Birganj respectively. A few districts were grouped together under one SP with an inspector in each district. The scheme improved the police administration in the districts.

The system of royal tour commissions (the old Rana practice of *daudaha*) was also intensified during the period. They were despatched to the various districts to receive secret reports on the district government. Naturally, sometimes they also embarrassed the district administration. King Mahendra himself interfered quite frequently with the district administration during his direct rule periods and royal tours between 1955-59.

But issues relating to the district administration received more attention of prime minister T.P. Acharya during his 18-month rule. For the first time after 1951 a serious and thorough attempt was made to reorganize the district administration with the object of overall improvement in the structure and functions rather than a mere change of personnel.

The ARPC, set up in July 1956, had a commendable record in the field of district administration. The Civil Service Act, 1956,

and the Civil Service Rules, 1956, regulated personnel administration at the district level too. Much confusion at the district level regarding constitution, appointment, tenure, protection, demotion, transfer, promotion, appeal, leave, etc. of the district personnel was thus removed.

But the biggest achievement of the ARPC was to set up a committee to report on "the reorganization of the district administration in Nepal,"<sup>164</sup> according to the resolution of the ARPC, dated 23 December 1956. The director of the Indian Aid Mission worked as adviser on this committee.

The Committee on the Reorganisation of District Administration in Nepal recommended a four unit administration, "based on the new needs of development and welfare administration."<sup>165</sup>

The proposal, which, according to one of the members of the ARPC, "was accepted in principle, but not implemented in practice by the then government,"<sup>166</sup> may be quoted from the report:

It is now proposed to create four units of administration. The smallest unit will be the *Block* roughly containing a population of 65,000 and an area of about 300 sq. miles in the *Terai*, and a population of 45,000 and an area of 200 sq. miles in the hills. One or more blocks will be constituted into a sub-division. Two or more sub-divisions will form a District. A number of districts have been grouped together to form Divisions. At the lowest level will be the Gram Panchayats, but as they will be units of local self Government, only a passing reference has been made to them in the paragraphs that follow. . . .<sup>167</sup>

The committee recommended a fresh reorganization of the old districts whose boundaries were "the result of historical factors" and not "efficiency of administration or uniformity of size."<sup>168</sup> It recommended 32 new districts, grouped into seven new divisions—Arun,

<sup>164</sup>See the *Report on Reorganization of District Administration in Nepal*, *op. cit.*, p. 1.

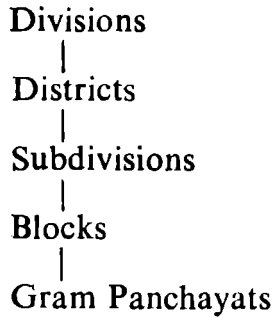
<sup>165</sup>*Ibid.*, p. 7.

<sup>166</sup>Ram Chand Malhotra, Secretary in Vishista Shreni, HMG Nepal, in an interview told this author.

<sup>167</sup>*Report on Reorganization of District Administration in Nepal*, pp. 6-7.

<sup>168</sup>*Ibid.*, p. 50.

Janakpur, Kathmandu, Gandak, Kapilvastu, Karnali, and Mahakali.<sup>169</sup> Detailed maps showing the areas of the new divisions, subdivisions and blocks were prepared by the Indian Aid Mission and attached to this report. The committee thus recommended a five-tier administrative set-up for the field administration of the Government of Nepal, as follows:



It also recommended the reorganization of the district offices into seven principal sections:<sup>170</sup> confidential section; general section; revenue section; development section; establishment section; legal section; treasury and accounts section.

It recommended the following new uniform pay scales for all officers in the various new divisions, districts and sub-divisions.<sup>171</sup>

Commissioner	: Incharge of division	: Rs 1200-25-1500
Bada Hakim	: Incharge of district	: Rs 750-15-900
		EB 20-1000
S.D.O./Mal Subba	: Incharge of subdivision	: Rs 250-10-430

Besides the traditional law and order, revenue administration and jails, the committee added development works, essential supplies, tours, and inspections and other important duties relating to flood, famine relief, etc in the list of powers, duties and responsibilities of the bada hakims.

It emphasized “the need for careful selection and thorough training” of the district officers and “that a manual should be compiled” as a “compendium of the duties of the District officer giving the laws which he is required to enforce or from which his

<sup>169</sup>*Ibid.*, pp. 57-58.

<sup>170</sup>*Ibid.*, p. 59.

<sup>171</sup>*Ibid.*, p. 67.

powers are derived and the executive instructions in connection with his various duties.”<sup>172</sup> If not others, at least the last proposal was wisely accepted and implemented by the government.

A district administration manual called *Zilla Prashasan Digdarshan*<sup>173</sup> was prepared by a committee set up for making district administration rules under the chairmanship of Kulnath Lohani on Shraavan 17, 2014 V.S.<sup>174</sup> The manual was submitted to chief secretary Brigadier Chandra Bahadur Thapa on Marg 14, 2014.<sup>175</sup> H. Lal, ICS, director, Indian Aid Mission, gave “valuable assistance”<sup>176</sup> as adviser to this committee.

This manual may be considered to be a big achievement in the field of district administration in Nepal for the obvious reason that now the bada hakims could have a clear idea of their multifarious duties in the districts under their charge. They could perform them now without hitch, hesitation or doubt. Since it contained all the rules and regulations (ains and sawals) issued from the days of the Ranas till the present, it also ensured their uniform application.

In its Foreword, the Manual rightly observed:

It is hoped that this type of work had never been there in the past and now if it would be coming out and distributed, it might serve as a great contribution to the district administrators. Previously the district Bada Hakim could scarcely know all about the *Ains* and rules which they should abide in executing a certain work, but as this work would now come published and distributed, they could easily know everything by a mere glance.<sup>177</sup>

It is needless to emphasize here that during a decade after 1951 the sole responsibility for the district administration lay on the bada

<sup>172</sup>*Ibid.*, p. 49.

<sup>173</sup>*Zilla Prashasan Digdarshan*, Kathmandu, Shri Panch Ko Sarkar, Rashtriya Nirdeśhan Mantralaya, Prachar Tatha Prasar Vibhag, Aswin, 2018 V.S. A typed copy of this district administration manual in English was also made available to this author by the Indian Aid Mission, Kathmandu.

<sup>174</sup>*Ibid.* Quoted from Kulnath Lohani's letter to chief secretary, Brigadier Chandra Bahadur Thapa, dated Magh 14, 2014 V.S.

<sup>175</sup>*Ibid.*

<sup>176</sup>*District Administration Manual, op. cit.* See Foreword, para 8, p. 2.

<sup>177</sup>*Ibid.*, para 4, p. 1.



hakim and he continued to be chief official and the functional representative of the government to direct, construct, control and coordinate the whole government work within the district.

Both the report and the manual (discussed above) emphasized the shift in the powers and responsibility of the bada hakims in the developmental field and welfare activities—the development of human and material resources and the eradication of poverty and want.

The duties of the bada hakims were thus “re-oriented and re-defined.”<sup>178</sup> To function as “a tier between the districts and the government,”<sup>179</sup> the creation of the posts of seven commissioners was also recommended. For the sake of facility to the commissioners a *Commissioner's Handbook*<sup>180</sup> was prepared by the committee set up by the ARPC.

In December 1957 amendments were made in commissioner magistrate ko sawal, 2014 V.S. and madhes goswara ain, 2014 V.S. empowering the district officers to punish anybody who “by written words or by signs or by visible representation or otherwise brings or attempts to bring into hatred or contempt or disaffection towards H.M. the King or His Royal Family.”<sup>181</sup> It may be mentioned here that since opposition to King Mahendra was increasing, this measure was aimed at curbing it. The *Nepal Gazette*, dated Poush 9, 2014 V.S. gave more powers to the bada hakims under the Village Panchayat Act, 1956.<sup>182</sup> In the formation of special courts under the Special Court Act, 2013 V.S., the bada hakims were included in them as chairmen.<sup>183</sup> In June 1958, the bada hakims were given the powers of special police officer, under the Public Servants Anti-Corruption Act, 1956.<sup>184</sup> Madhes goswara ain, 2013 V.S., was extended to the pahad districts as well.

<sup>178</sup>*Ibid.*

<sup>179</sup>*Commissioner's Handbook*, Kathmandu, Indian Aid Mission (n.d.), cyclostyled, para 4, p. 3, made available to this author by IAM.

<sup>180</sup>*Ibid.*

<sup>181</sup>Kathmandu Valley Commissioner Magistrate Sawal (Amendment) Act (2014 V.S.) 1957. See *Nepal Gazette*, 5 December 1957, Marg 10, 2014 V.S. See Section XXIV (1).

<sup>182</sup>*Nepal Gazette*, 23 December 1957, Paush 9, 2014 V.S.

<sup>183</sup>*Ibid.*, 12 April 1957, Shravan 28, 2014 V.S.

<sup>184</sup>*Ibid.*, 22 June 1958, Asadh 9, 2015 V.S.

This brought uniformity in the district administration towards the pahad and tarai areas.<sup>185</sup>

To sum up, three most heartening developments during this period were the Report on Reorganisation of District Administration in Nepal,<sup>186</sup> the District Administration Manual and the extension of the madhes goswara ain, 2013 V.S., to the hill districts of Nepal.

We shall now refer briefly to another heartening post-revolutionary development in Nepal—the setting up of free local institutions.

#### LOCAL ADMINISTRATION—1951-59

Free and fully elected local institutions confined not only to the capital city or the valley but extended to many other cities and villages in Nepal were set up during this period. The whole aim and method of local administration after 1951 underwent a revolutionary change from what it was during the authoritarian Ranas. Article 5 of the 1951 Constitution stated:

The State shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.

Thus, a fundamental change which could be noticed was that now the local institutions were “to function as units of self-government” and were to have power, discretion and authority which they could exercise without unnecessary interference from the central or district administrations. Also, they were to operate the services of a welfare state set up under the Constitution.

The setting up of a separate ministry of local self-government in the Singha Darbar in 1951 with one deputy secretary, two assistant secretaries and other non-gazetted staff reflected the changed situation. In October 1951 the LSG minister's important

<sup>185</sup>*Ibid.*, 16 April 1958, Baisakh 4, 2015 V.S.

<sup>186</sup>It is interesting to note that in 1962 when King Mahendra introduced a new administrative system of 14 *Anchals* and 75 *Zillas*, he was perhaps only implementing this report.

appeal as published in the *Nepal Gazette* of Aswin 15, 2008 V.S.<sup>187</sup> further reflected this change. He stated:

The present administrative system has been established for the welfare of every man and woman. . . . The welfare of the people is inherent in each part of the administrative machinery, just as butter is inherent in milk. . . . Arrangements for holding municipal elections in the near future in Kathmandu, Bhaktapur and Lalitpur have already been made. . . .<sup>188</sup>

He further declared that free elected municipalities will be set up soon “throughout the Nepal Kingdom. . . with Chairman and Vice-Chairman also elected,” and that “arrangements have been made henceforth to establish village panchayats in places having five thousand population in Tarai and three thousand population in hills. . . .”<sup>189</sup> A municipality could be set up at a place having ten thousand population. Places below this population limit could also have municipalities and panchayats with local request and the ministry’s approval. The LSG minister attributed the delay in setting up local institutions to the factors of natural geographical barriers and transport difficulties in Nepal.

By way of illustration of the importance attached to local institutions after the revolution, one can cite the enactment of the Nepal Rajya Nagarpalika Ko Ain, 2009 V.S.<sup>190</sup> which gave the first comprehensive Municipal Act to Nepal in 1952. The Act provided for the election of the municipalities on the basis of adult suffrage (Section 8); elected chairman and vice-chairman for a four-year term (Section 23); committee system (Sections 46-51); a list of 44 municipal functions (Section 52); powers and functions of the pradhan officer (executive officer) to be appointed by the government (Sections 65-78); and other officers, namely, health officer (Sections 79-81), treasurer, engineer, overseer, etc. (Sections 82); municipal fund (Section 91), municipal budget (Section 109-113),

<sup>187</sup>For the full text of the LSG minister’s speech see *Nepal Gazette*, Aswin 15, 2008 V.S.

<sup>188</sup>*Ibid.*

<sup>189</sup>*Ibid.*

<sup>190</sup>*Nepal Rajya Nagarpalika Ko Ain*, 2009 V.S., Kathmandu Gorkhapatra Press, 2010 V.S.

sources of municipal finance (Section 114); municipal laws and by-laws (Sections 202-205); and government control over municipalities (Sections 142-150).

On the basis of information available from various issues of the *Nepal Gazette*, it could be said that the municipal elections were held in 1952<sup>191</sup> in the three cities of the valley and elected municipalities were set up in Biratnagar,<sup>192</sup> Palpa-Tansen,<sup>193</sup> Bhadrapur<sup>194</sup> (in Jhapa district) and Birganj.<sup>195</sup> During January and February 1958 the second municipal elections were also held in Kathmandu, Lalitpur and Bhaktapur. About four to five government nominees were placed in each of these municipalities. A vigorous programme for the setting up of the local institutions in all the districts of Nepal seems to have been undertaken in September 1957 when the country was divided into 16 zones and in each zonal station zonal inspectors and subinspectors were appointed to open panchayats and municipalities.<sup>196</sup> However, it appears that this programme failed because in November 1957 all the zonal inspectors were dismissed.<sup>197</sup>

Not much information is available regarding the setting up and working of the panchayats during the period. An important legislation enacted in this connection in 1956 was the Gaon Panchayat Ain, 2013 V.S. Two other important developments in this field were the setting up of a gram panchayat directorate in the central secretariat and the publication of the *Panchayat Goswara* magazine. In May 1957 the director of gram panchayat was included in the regular civil service cadre under the Civil Service Act 1956.<sup>198</sup>

It appears from the municipal elections results during the period that the political parties took full part in such elections. It is significant to note, however, that the Nepali Congress usually won such municipal elections by absolute majority as against the

<sup>191</sup>*Nepal Gazette*, Shrawan 6, 2009 V.S.

<sup>192</sup>*Ibid.*

<sup>193</sup>*Ibid.*, Chaitra 18, 2014 V.S.

<sup>194</sup>*Ibid.*, Paush 9, 2014 V.S.

<sup>195</sup>*Ibid.*, Shrawan 6, 2015 V.S.

<sup>196</sup>*Ibid.*, 23 September 1957, Aswin 7, 2014 V.S.

<sup>197</sup>*Ibid.*, 4 November 1957, Kartik 19, 2014 V.S. Also see *Nepal Gazette*, 18 November 1957, Margh 3, 2014 V.S.

<sup>198</sup>*Ibid.*, 23 December 1957, Paush 9, 2014 V.S.

Independents and the United Opposition. It also seems that till the advent of the first elected government in 1959, municipal and panchayat institutions, in spite of good intentions and enactments, could not be started all over Nepal and their network could not be spread presumably due to frequent ministerial changes.

We shall now refer briefly to the financial administration during the period.

#### FINANCIAL ADMINISTRATION—1951-59

As a matter of fact, during the Rana regime, the system of public finance was a mystery beyond the ken of the public and the income and expenditure and its scrutiny a closed book.

To quote the *Buch Committee Report*:

... no budget was ever framed during the Rana regime and the present Government started on an absolutely clean slate in the matter of knowledge regarding the financial position of the country and its requirements in regard to expenditure. Considerable time had, therefore, to be spent by the Ministry of Finance in collecting information regarding the likely revenue and expenditure and the budget for the year 2008 i.e. the year 1951-52 was prepared at almost the close of the financial year. . . .<sup>199</sup>

But this first budget was based on inadequate information and contained lump sum provisions for certain development projects. The Nepali financial year as Shrawan-Asadh (16 July) in the Vikram Samvat was accepted by the new government.<sup>200</sup>

The budget as a tool of financial administration obviously could not develop during 1951-59, as there was no elected parliament and what the 1951 Constitution in Article 27 provided was that "The King shall in respect of every financial year cause to be prepared a statement of the estimated receipts and expenditure of the Government of Nepal for that year. . . ."

This was to be "approved by the King and his Council of Ministers" (Article 28). Accordingly, a budget division in the ministry of finance was created. Admittedly, this was a great step

<sup>199</sup>*Buch Committee Report, op. cit.*, para 163, p. 61.

<sup>200</sup>*Nepal Gazette*, 29 December 1952, Paush 15, 2009 V.S.

forward in the country's public administration.

The first budget of 2008 V.S. was published in the *Nepal Gazette* dated Marg 21, 2003 V.S.<sup>201</sup> along with the first ever budget speech of the finance minister marking an epoch in the country's history. In the speech, the finance minister observed:

“Brother and sisters. . . . It is a common practice in other countries to submit budgets annually, yet it is no exaggeration to say that it is unprecedented in our country. The people had no hand in government and administration during the Rana regime and you all know that the income and expenditure of the country were not revealed to anybody. Now it is the right of the people to obtain information regarding the income and expenditure of their country as a responsible democratic government has been formed. In the capacity of the first Finance Minister of the democratic government, I feel honoured to present the first budget in the history of Nepal, before you. . . .”<sup>202</sup>

This budget, approved by the cabinet and the king, presented the financial situation in 2007 V.S. (1950-51) before the people, as follows:<sup>203</sup>

Total income during 2007 V.S.	Rs 2,90,81,000
Total expenditure	Rs 2,46,87,000
Surplus	Rs 43,49,000

Balances left over with the main bhandar khal treasury as well as muluki khana by the Rana government in the form of gold, silver, old mohur, Indian coins, foreign currency notes, etc. amounted to a total of Rs 7,90,46,258. With this reserve, the new government set up the following funds:<sup>204</sup>

Currency reserve fund	Rs 5 crores
Exchange stabilization fund	Rs 2 crores
Budget equalization fund	Rs 1 crore

With these three funds the new government “laid a strong foundation for the country's economy.”<sup>205</sup>

<sup>201</sup>*Nepal Gazette*, 3 February 1952, Marg 21, 2008 V.S.

<sup>202</sup>*Ibid.* See the budget speech of the finance minister.

<sup>203</sup>*Ibid.*

<sup>204</sup>*Ibid.*

<sup>205</sup>*Ibid.*

In addition, a development fund of Rs 22,00,000 was also set up partly with the lump sum granted by the Indian government after the Second World War.

Income and expenditure for 2008 V.S. budget was estimated as follows:<sup>206</sup>

Income	Rs 3,05,16,000
Expenditure	Rs 5,25,21,000
Deficit	Rs 2,20,75,000

The finance minister introduced for the first time a national savings scheme and spoke about the government's decision to set up a planning and development committee, under the chairmanship of the prime minister, the full control over income and expenditure by the new finance ministry, the reorganization of the audit and accounts department, full control of the accountant-general over the accounting of the mulki khana treasury and other mal offices, setting up of local audit offices, and the scrutiny of all government accounts by the auditor-general.<sup>207</sup>

The 1951 Constitution had provided for the appointment of a comptroller and auditor-general of Nepal who was to submit a report to the king "relating to the accounts of the Nepal government" (Articles 33 and 35).

Accordingly, from 1951 to 1959, the auditor-general functioned in a dual capacity as the comptroller of accounts as well. The budget during this period could be described as "being merely a statement of probable intent."<sup>208</sup> As we can see the three tools of financial administration—budgeting, accounting and auditing, though set up during 1951, could not develop effectively in the absence of an elected parliament and a responsible government which could only be set up after the 1959 general elections under the 1959 Constitution.

To sum up, we have outlined and analyzed the flow and character of the administrative changes in Nepal which occurred during the period the interim Constitution of 1951 provided the constitutional basis to the new political order.

<sup>206</sup> *Ibid.*

<sup>207</sup> *Ibid.*

<sup>208</sup> Shrestha, *op. cit.*, p. 83.

On 12 February 1959 King Mahendra announced a new Constitution and reiterated that general elections would be held on the scheduled date (six days later). With this announcement ended the first and the second phase of the political and administrative changes in Nepal.

We shall now examine in the next chapter the third phase of the political and administrative changes in Nepal during the brightest moment of her history, when she had the first elected government since the fall of the Ranas.



## Chapter VII

# Administrative Changes—1959-60

A new era began for Nepal when, on 12 February 1959, a new Constitution was announced and in February-March the first general elections in the country's history were held. On 27 May 1959 the first elected Government of Nepal, with B.P. Koirala as prime minister, was sworn in, which "naturally gladdened all those who believe in democracy and are friends and well-wishers of Nepal."<sup>1</sup> With the political change came in administrative change as well. During 1959-60, which may be considered as a period of decisive change, news spread of King Mahendra's coup in December 1960 against his own government, which in his own words was "an attempt at giving true shape to the democracy of my Father's dream. . . ."<sup>2</sup> As will be seen later, all lovers of democracy and friends of Nepal received the news of the December 1960 coup with shock.

In this chapter it is proposed to discuss the administrative changes in Nepal during the 18 months of the Koirala government against the background of the 1959 Constitution and the first general elections.

### THE 1959 CONSTITUTION

On 12 February 1959, a royal proclamation said:

. . . .A Commission had been appointed by us on March 16, 1958 to draft a *Constitution suitable to the genius of our country*.

<sup>1</sup>As prime minister Jawahar Lal Nehru wrote to B.P. Koirala, *Gorkhapatra*, 1 June 1959.

<sup>2</sup>Address to the First Parliament, *Proclamations, Speeches and Messages*, Ministry of Information and Broadcasting, HMG Nepal, Vol. I, p. 149.

I am happy to proclaim hereby the granting of a Constitution drafted by the said Commission and approved by the Council of Ministers after a careful scrutiny—a *Constitution designed to promote the welfare of this generation and also of those to come* and deemed suitable for this ancient land of ours. . . . It is my great solicitation that *this Constitution being granted by me* shall have the capacity to bind together all my people in one firm thread of unity and to advance the glory, progress and prosperity of the entire Nepalese community. . . .<sup>3</sup>

This royal proclamation reflected, in clear words, some of the features of the 1959 Constitution which provided a new constitutional basis to the new political order. These features may be summed up as follows:

(1) The new Constitution finally settled the controversy concerning the purposes of the general elections and the debate on Constituent Assembly versus Parliament. The elections were to be held under the Constitution for parliament.

(2) The new Constitution was “being granted by me” (King Mahendra). In other words, it was a gift, “an award from the King to his people.”<sup>4</sup> This solved the question as to who was the real sovereign in the country—the king or the people—after the 1950-51 revolution. The solution was simple. The sovereign was the king. The royal proclamation had so said and it was also approved by the council of ministers.

(3) The new Constitution was “designed to promote the welfare of this generation and also those to come.”<sup>5</sup> But curiously enough, as we shall see, the Constitution was thrown into the dustbin of history only after about 18 months and replaced in 1962 by another Constitution, by its sole giver—King Mahendra.

(4) The new Constitution according to King Mahendra was “suitable to the genius of our country.”<sup>6</sup> But strangely enough, it proved otherwise without much time permitted for its proper

<sup>3</sup>“Proclamation Announcing the First Constitution for the Kingdom of Nepal” in *ibid.*, p. 136. (Emphasis added)

<sup>4</sup>A. Gupta, *Politics in Nepal, etc.*, 1964, Bombay, p. 128.

<sup>5</sup>Proclamation Announcing the First Constitution for the Kingdom of Nepal, *Proclamations, Speeches and Messages, op. cit.*, Vol. I, p. 136.

<sup>6</sup>*Ibid.*

functioning. In 1962 came the panchayat constitution as an award from King Mahendra. It was, again, as he said, "in keeping with the national genius and traditions."<sup>7</sup>

This means that the genius and traditions of the people of Nepal are what the king says from time to time. As we reflect upon the two Constitutions, we find that the second was a contradiction of the first.

The Preamble of the 1959 Constitution further pointed out certain other features:

(1) That King Tribhuvan, "having led the revolution for the rights and welfare of his subjects, earned immortal fame in the history of the world."<sup>7\*</sup> In other words, the 1950-51 revolution was the king's revolution "to establish real democracy in Nepal."<sup>8</sup> People's struggles are mentioned nowhere. Perhaps it could be said that the new Constitution was, thus, not going to be a people's Constitution.

(2) That the objective of the Constitution was to bring about "political stability through the establishment of an efficient *monarchical form of Government*, responsive to the wishes of the people."<sup>9</sup> Thus, the preamble had meant the restoration of monarchy in Nepal and also the personal rule of the king.

(3) That the Constitution was designed to promote "political stability"<sup>10</sup> and "cement unity"<sup>11</sup> in the country. It made no reference to the establishment of real democracy which the 1951 Constitution had guaranteed.

(4) That the Constitution had no pretensions about a secular state. The preamble described the king as an "adherent of Aryan culture and Hindu religion."<sup>12</sup>

(5) That the king was the source of all powers was reiterated in

<sup>7</sup>*The Constitution of Nepal*, English translation, HMG Nepal, Ministry of Law and Justice, 1963, p. 1.

<sup>7\*</sup>See the *Preamble, Nepal Adhirajya Ko Samvidhan*, HMG Nepal, Ministry of Law and Parliamentary Affairs, 1959. For English translation see Narendra Goyal, *The King and His Constitution*, Delhi, 1959.

<sup>8</sup>*Ibid.*

<sup>9</sup>*Ibid.*

<sup>10</sup>*Ibid.*

<sup>11</sup>*Ibid.*

<sup>12</sup>*Ibid.* Also see Article 5,

the preamble, which stated: “. . . I, King Mahendra Bir Bikram Shah Deva, in the exercise of the sovereign powers and prerogatives vested in Us, in accordance with the tradition and custom in our country, and which devolved on Us from our August and Respected forefathers, etc.”<sup>13</sup>

Above all, the new Constitution, as we are going to examine it, provided both for a parliamentary system of government as well as a pure monarchical system. Under the Constitution the king could be both a *de jure* as well as *de facto* head of government. It all depended upon the use of the Constitution.

The timing of the new Constitution was 12 February 1959, only a week before the general elections, when the political parties, too much in the heat of election, could not pay attention to its provisions nor had any opportunity to criticize it.

(a) *Fundamental Rights*. A fairly long Constitution (running into 77 Articles) as compared to the 1948 and the 1951 Constitutions, it included an elaborate list of fundamental rights, including the “seven freedoms”<sup>14</sup> of speech and expression; assembly without arms; to form associations or unions; free movement and residence; acquisition of property and practice of any profession, etc.

But the religious freedom meant: “Every citizen subject to the current traditions, shall practice and profess his own religion as handed down from ancient times.”

It also “provided that no person shall be entitled to convert another person to his religion” (Article 5).

Obviously this article was anti-secular<sup>15</sup> as it prohibited religious conversion perhaps in order to preserve the Hindu ethos of the state. Historically, since the days of Prithvinarayan Shah, Nepal has preserved her traditional Hindu character without any pretensions for secularism whatsoever.

Article 9 provided for remedial rights and empowered the supreme court “to issue directions or orders or writs including writs

<sup>13</sup>*Ibid.*

<sup>14</sup>For details see Article 19 in M.V. Pylee, *Constitutional Government in India*, Bombay, 1960, pp. 213-231. Also N. Goyal, *The King and His Constitution, etc.*, p. 28 for Article 7.

<sup>15</sup>See P. Chandra Shekhara Rao, “Nepal and its Constitution,” *The Indian Yearbook of International Affairs 1960-61*, Madras, 1961, p. 62. Also Kalpana, 24 July 1959.

in the nature of *habeas corpus*, *mandamus*, prohibition, *quo warranto*, and *certiorari*”—all the five celebrated prerogative writs in English law.

However, the legislature was authorized to abridge the freedom without mentioning “reasonable restrictions.” In the absence of the concept of public good in the world of Nepalese social thinking and the necessity to abolish *birtas* and *guthis*, the right to property with the clause “save in accordance with the law” (Article 6:1) was viewed by some critics<sup>16</sup> as putting a check on the government to bring in land reforms.

(b) *The Parliament.* The Constitution rejected the theory of parliamentary sovereignty as well as “the nearly unanimous opinion among the political parties,”<sup>17</sup> to have a unicameral legislature for Nepal. The parliament was made bicameral, consisting of an Upper House, called *Maha Sabha* and Lower House called *Pratinidhi Sabha*.

The pratinidhi sabha was to have 109 elected members for a term of five years, on the basis of universal adult suffrage. The maha sabha was to have 36 members, half to be elected by the pratinidhi sabha on the basis of proportional representation and half to be nominated by the king (Articles 20 and 21). The members were to be elected for six years, one-third retiring every two years (Article 21:2).

The fear that the maha sabha might become a royalist fortress against the popular representatives came out to be true. The government of B.P. Koirala faced a very hostile maha sabha having a majority of the king’s men obstructing progressive legislation.

There was a novel provision for the speaker of the pratinidhi sabha to lose his membership in the House if he already was its member. A non-member could also become speaker (Article 29:2). This was something unconventional.

Article 51 laid down the legislative powers of the parliament. It stated: “Subject to the provisions of this Constitution, Parliament shall have power to make laws for the peace, order and good government of Nepal.”

<sup>16</sup>See Gupta, *op. cit.*, p. 131. Also A. Appadorai and L.S. Beral, “The New Constitution of Nepal,” *International Studies*, Delhi, January 1962, Vol. I, p. 226.

<sup>17</sup>Gupta, *op. cit.*, pp. 131-132.

But the king reserved the power to legislate through ordinances when the parliament was not in session. The ordinance became imperative after the expiry of 45 days of the sitting of the parliament (Article 52:2).

The parliament could amend or repeal any provision of the Constitution if a two-thirds majority of the total members of each House agreed to an amendment separately (Article 53).

Between the two Houses, money bills could originate only in the Lower House. The Upper House could delay the passage of ordinary legislation by six months and money bills by one month (Article 41). Otherwise, the two Houses had equal powers.

Certain constitutional restrictions gave the king ample opportunity to cripple the functioning of parliament. They were:

(1) No bill could become law unless the king assented. And he could assent, withhold, refuse or postpone his assent at his discretion (Article 42).

(2) A money bill could only be introduced in the pratinidhi sabha, with the prior recommendation of the king (Article 40).

(3) Parliament was debarred from discussing the private revenue, or expenditure of the king (Article 44:4).

(4) Article 34:1 debarred parliament from discussing "with respect to the conduct of His Majesty and his successors provided that nothing in this clause shall limit criticism of His Majesty's Government."

(5) Finally, the king could suspend or dismiss, at his own discretion, either or both Houses of parliament at any time he deemed necessary (Article 56).

Under the circumstances, we may reasonably doubt if the Constitution really intended to set up a parliamentary government in Nepal.

(c) *The Executive.* The executive power was vested in the king to be exercised by him "either directly or through ministers or other officers, subordinate to him" (Article 10:1). Ordinarily, he was to act "on the recommendation of the Cabinet conveyed by the Prime Minister" (Article 10:2).

The cabinet, "consisting of the Prime Minister who shall be head of the Cabinet, and such number of other Ministers of the Crown not exceeding fourteen. . ." (Article 12:1), was charged "with the general direction and control of the Government of Nepal" and

was made “collectively responsible to the Pratinidhi Sabha” (Article 12:2). The leader of the majority party in the pratinidhi sabha was to be the prime minister (Article 13:1).

Thus, the 1959 Constitution provided in these articles for a cabinet government with marked improvement over the previous arrangement in 1951.<sup>18</sup>

The prime minister was to be assisted with a maximum of ten assistant ministers, of whom at least two were to be from the Upper House (Article 14:1).

In his relationship with the king, the prime minister was put in an uncomfortable situation. Article 16 laid down the duties of the prime minister as follows:

(1) He was “to communicate to His Majesty the agenda, agenda papers and conclusions of the Cabinet and any proposals for legislation or important executive action. . .” [Article 16 (1)(a)].

(2) He was “to furnish such other information relating to the conduct of Government business as His Majesty in his discretion may require [Article (1)(b)].

(3) The king could “in his discretion authorise the issue of Regulation of Government business” including relations between “His Majesty, Cabinet, the Ministers of the Crown, Assistant Ministers and other Servants of the Crown. . .” [Article 16(2)].

The Constitution further laid down:

If any question arises whether any matter is or is not a matter in respect of which His Majesty may act in his discretion, the decision of His Majesty in his discretion shall be final and the validity of anything done by His Majesty shall not be called in question on the ground that he ought or ought not have acted in his discretion. [Article 10(5)]

The Constitution in Article 10 (6) distinguished between his majesty the king, and his majesty’s government. One could criticize his majesty’s government. But his majesty could not be discussed for any action taken in his discretion. Thus, the 1959 Constitution obviously created two centres of executive and administrative

<sup>18</sup>According to the Interim Constitution of 1951 the ministers were individually and collectively responsible to the king and held their office at the king’s pleasure.

powers—the royal palace, and the cabinet with elected ministers. This created tensions in the administrative system of Nepal as we shall later examine.

Other restrictions imposed were:

That the king could summon parliament without the recommendation of the prime minister [Article 26(2)].

That the king in his discretion could appoint a prime minister from outside the members of the pratinidhi sabha, if he found no person to command the confidence of the majority in that House. But such a prime minister was to become a member of either House within four months [Article 13(3)].

That the king could reject the prime minister's recommendation that the pratinidhi sabha either be summoned or dissolved [Article 26(2)].

That the king, acting in his discretion, could dismiss the prime minister, after consulting the rashtriya parishad and being satisfied that "His Government has lost the confidence of the Pratinidhi Sabha, or that it has persisted in acting contrary to the provisions of this Constitution" [Article 13(5)(d)]. The articles discussed above, pose certain difficult questions:

(a) If the king rejected the prime minister's recommendation to summon or dissolve the pratinidhi sabha, whether the prime minister was expected to resign, according to the customs and spirit of parliamentary democracy, or was he to swallow the insult and withdraw his recommendation?

(b) If the king summoned parliament without the prime minister's advice, was it to be taken as a no-confidence move in his executive leadership?

(c) If the king appointed an outsider as prime minister and this outsider failed to get a seat in parliament within the fixed time, what would happen? Should the king try another outsider, or dissolve parliament, or impose direct rule?

(d) If the king appointed an outsider as prime minister and he secured a seat in the parliament, could such an outsider be sure of the majority support in the pratinidhi sabha? If he could not command a majority in the pratinidhi sabha, should the king retain him?

(e) How could the rashtriya parishad advice the king to dismiss the prime minister, or, otherwise, how could the king be satisfied



that the prime minister had lost confidence and so he should be dismissed?

The Constitution left all such questions unanswered. Perhaps it expected the prime minister to play a subordinate role or else clash with the king and be dismissed.

The question as to what would happen when the king refused assent to a bill duly passed by both the Houses was also left unanswered. Should the prime minister resign in such a case or accept the royal verdict and submit to the king's wishes? Again, what was the real purpose of the rashtriya parishad? Was it like the privy council in England? Or was it an ordinary body attached to the king? Or was it a mere regency council? Or a constitutional device to put a brake on the authority and effectiveness of the prime minister? Actually it did some of all these functions and held an anomalous position in the executive branch of the government.

Article 11 laid down the composition of the rashtriya parishad. It was composed of all the supremely important persons of the realm, besides the king, the president, and the deputy president, and the speaker and the deputy speaker of the two Houses, ministers of the crown, ex-ministers, and other royal appointees [Article 11 (1) (a), (b), (c) and (d)]. It was required to serve as a regency council during the minority, mental or physical infirmity of the king, [Article 11(5)(b)]. It was to do the prime minister's job (*i*) of advising the king whether the constitutional machinery has broken down [Article 17(1)]; (*ii*) or whether the king should approve a bill passed by parliament [Article 42(2)]; and (*iii*) advising the king to dismiss the prime minister as he had lost confidence in the parliament [Article 13(5)(d)].

It was thus to serve as the king's chief consultative body, when he so desired, in respect of the exercise of any of his functions under the Constitution.

Like Articles 352, 356 and 360 of the Indian Constitution<sup>19</sup> (which deal with the emergency provisions), Articles 55 of the new Constitution dealt with emergency in case of war, etc. In exercising his powers under this article, the king could act, as far as prac-

<sup>19</sup>*Constitution of India*, New Delhi, Government of India, Ministry of Law, 1966, Part XVIII, pp. 134-138. Also M.V. Pylee, *Constitutional Government in India*, 1960, Bombay, pp. 577-594.

licable, after consultation with the rashtriya parishad.

### THE KING

The Constitution emphasized such extensive powers of the king—discretionary, residuary, military, diplomatic, executive, legislative, judicial and emergency—that the eventual form of government depended much upon how King Mahendra was going to use his powers. It also raised doubts as to whether it was a genuinely democratic document.

The supreme command of the armed forces of Nepal was vested in the king, in his own discretion. He had powers “to raise and maintain armed forces, to grant commissions in such forces; to appoint a commander-in-chief and to determine their powers, duties and remunerations [Article 64(1), (2) (a), (b) and (c)].

He was assured the power to grant pardons, reprieves, and respites, and to remit, suspend, or commute any sentence passed by any court, tribunal or authority established by law (Article 66). He could dismiss the chief justice and other judges of the supreme court on grounds of “misbehaviour or incapacity” [Article 57(4)].

Article 68 stated: “All powers relating to matters not provided in this Constitution or any law for the time being in force shall continue to vest in His Majesty.”

Thus he was also vested with residuary powers. Besides these powers, he enjoyed vast patronage in his power to appoint members of the Public Service Commission, Delimitation and Election Commissions, auditor-general, chief justice and diplomatic personnel.

Article 65 reiterated: “Except as provided in this Constitution, or any law for the time being in force, Servants of the Crown shall hold office during the pleasure of His Majesty.”

Where was the need for the insertion of this article in a democratic parliamentary set-up?

Articles 55 and 56 gave wide emergency powers to the king. These articles were fraught with the sinister possibilities of royal despotism.

Article 55(1) stated: “If His Majesty in his discretion is satisfied that a grave emergency exists whereby the security or economic life of Nepal, or any part thereof, is threatened by war or external aggression or by internal disturbance, he may by Proclamation in his discretion,” etc. suspend or abrogate, part or whole of the

Constitution. But whether the emergency existed at all or not, was his decision, in his own discretion. The rashtriya parishad could be consulted, not for proclamation of emergency but when the king was actually exercising powers under Article 55.

Article 56 referred to the failure of the constitutional machinery, when the king could suspend Parts III, IV and V of the Constitution, relating to fundamental rights, executive government and parliament.

We fail to understand why fundamental rights were to be suspended if the country was not able to find a prime minister who could command a majority in parliament.

The Constitution was made inoperative so far as "the law, custom and usage relating to the succession to the throne by the descendants of His Majesty Shri 5 Maharajadhiraja" [Article 1(2)], was concerned.

The king alone was assured "to have exclusive power of enacting, amending and repealing the law relating to the succession to the throne," (Article 63). Thus, the 1959 Constitution could well be used to set up a monarchical absolutism in Nepal.

About the new Constitution, H.C. Taussig truly observed: "It will be seen from the character of the Constitution that the King's powers remain almost absolute, and that its working will depend, to a large extent, on the King's pleasure."<sup>20</sup>

(d) *The Judiciary and Other Bodies.* The Constitution provided for the establishment of a supreme court with a chief justice and other judges (Article 57). It could order for the transfer of cases from subordinate courts, where a pending case "involves a substantial question of law as to the interpretation of this Constitution" (Article 58).

The independence of the judiciary was jeopardized as the king reserved the right to appoint and dismiss, in his own discretion, the chief justice and other judges in the supreme court (Article 57). Of course, they could be dismissed for "misbehaviour or incapacity" on the finding of a specially constituted royal tribunal [Article 57(4)(b)].

Other statutory bodies set up by the Constitution included the

<sup>20</sup>See H.C. Taussig, "Dawn Over Nepal," *Eastern World*, London, May 1959, Vol. XIII, No. 5, p. 17.

Public Service Commission (Articles 59 and 60); the Constituency Delimitation Commission, the Election Commission, and the auditor-general (Articles 61 and 62) which we shall discuss in detail in the following pages.

Since all these bodies were to have members appointed by the king and hence responsible to him for their actions, the king's dominant role in the Nepalese administration was fully ensured.

Summing up, it could be said that the new Constitution was at best a political concession and a gift from a sovereign monarch to his people. It provided for a cautious delegation of powers to the elected body and the elected chief, working under the eyes and nose of the monarch who could do away with the whole system any day, in his own discretion.

It provided for a workable arrangement between the monarch and the multiple political parties in Nepal. It could have worked successfully in the context of irrational politics as we witnessed between 1951 to 1959. But it was not expected to work successfully in case of a clear majority to a political party at the ensuing polls.

In such a situation, conflict between the king and the elected leader was inevitable under the new Constitution.

#### GENERAL ELECTION AND ADMINISTRATION

Perhaps even more significant than the promulgation of the Constitution on 12 February 1959 was the holding of the general elections on 18 February 1959 among those hill people who led a near-medieval life in inaccessible areas, with 96 per cent illiteracy.

That the general elections in Nepal had not only been possible, after eight years since historic 1951, but were very successful, really belied the expectations of those in Nepal and outside, who were rather pessimistic. Their success was a tribute to the people of Nepal and the political parties, as no disturbance was ever reported from any part of the country during the election period.

The Election Commission had completed a formidable task with great competence. And so had the Nepalese administration in a country which is mostly mountainous and presents difficult problem of transport and communication, and law and order. Moreover, the people had no experience in democracy and civil servants were ignorant of electoral procedures, preparation of voters' lists, conduct of elections, etc.

(a) *The Election Commission.* The Election Commission was entrusted with the task of superintendence, direction and control of the general elections in Nepal.

The commission was first constituted in June 1951. In 1953, with the help of Sukumar Sen, the chief election commissioner of India, the first draft of the *Jana Pratinidhitwa Ain*<sup>21</sup> (People's Representation Act) was prepared by the commission. It received royal assent in February 1955. The commission needed special powers to prepare the electoral roll which were given only in 1957. But the commission was reconstituted in May 1958. Rules governing the elections were laid down in the *jana pratinidhitwa ain*, 2015 V.S. The general elections were to be conducted according to this *ain*. Thus it can be said that the Election Commission had a chequered history. Its task was quite difficult.

The Election Commission requisitioned the services of Nepal Radio and of poets and singers to educate the villagers in the use of ballot papers and other things about election and its significance. It also came out with a periodical called *Nirvachan Sandesh* which published news about the elections.

In all, about 17,000 government servants were requisitioned and placed at the disposal of the Election Commission for the arrangement and superintendence of the elections. Wireless detachments from the British and Indian Governments were also placed at the disposal of the Election Commission. These wireless stations in the east and west of Nepal surmounted the geographical inaccessibility of many constituencies and solved greatly the problems of transport and communications. The Election Commission could thus issue necessary directives to the outlying districts.

Necessary technical training was given to the personnel and the staff by sending them to India and providing them with "spot-observations of the elections in India,"<sup>22</sup> which proved very beneficial for their work in Nepal.

Major political parties also helped the Election Commission in creating the necessary psychological background for the momentous national elections to be inaugurated on 18 February 1959.

<sup>21</sup>*Jana Pratinidhitwa Ain*, 2015 V.S., HMG Nepal, Ministry of Law, 1958.

<sup>22</sup>Angur Baba Joshi, "The First General Elections in Nepal," *Parliamentary Affairs*, London, November 1959, Vol. XII, p. 312.

(b) *The Political Parties.* Political parties at the time of the elections were numerous. So the Election Commission put a condition that each party would have to contest at least 22 seats (20 per cent of the total seats) to qualify as a national party. Under this ruling, only seven parties were recognized as national parties. Two other parties contested the elections by setting up 20 and 21 candidates. There were altogether nine political parties besides 339 Independents, which contested elections for 109 constituencies.

Because of lack of education and literacy in Nepal, the Election Commission rightly decided to assign pictorial symbols to each of the nine major political parties so that the voters could cast their vote to their favourite symbol. This simplified the work of administration. The nine political parties and their symbols are indicated in Table XIV.

TABLE XIV

The Nine Political Parties and Their Symbols in the 1959 General Election

<i>Sl. no.</i>	<i>Political parties</i>	<i>Symbols</i>
1.	Nepal Congress	Tree
2.	Gorkha Parishad	Hut
3.	United Democratic Party	Three ears of paddy
4.	Praja Parishad (Mishra faction)	Plough
5.	Praja Parishad (Acharya faction)	Hammer and spade
6.	Communist Party	Three maize pods and a sickle
7.	Prajatantrik Maha Sabha	Hand
8.	Nepal Rashtriya Congress	Umbrella
9.	Terai Congress	A peasant with a sickle in his right hand and a wheat load on his head

*Source:* Report of the Nepal Election Commission, *Nirvachan Sandesh*, Kathmandu, 2016 V.S.

Independents were allotted such symbols as lamp, horse, elephant, water-tap, scale, fish, flower, clock, bird, pitcher, bell, flute, pen and inkpot.<sup>23</sup>

(c) *Party Programmes and Typology.* The programmes and the election promises of the various political parties differed, though

<sup>23</sup>Report of the Nepal Election Commission, *Nirvachan Sandesh*, Kathmandu, 2016 V.S.

very slightly. Of course, they publicized their programmes in the hope of a new Constitution providing for a democratic and responsible parliamentary government, but as the Constitution was announced, as it has been already discussed, only a week before elections, the political parties were groping in the dark in their manifestoes which had a touch of unreality.

For our purpose we may briefly refer to the typology and promises of the three major political parties—the Nepali Congress, the Gorkha Parishad and the Communist Party as they represented three different and distinct types of political ideologies. The other six traditional political parties were mostly factions and did not differ much in their programmes. Table XV demonstrates the typology of the political parties in the 1959 general elections.

The Nepali Congress<sup>24</sup> stood for socialism, through birta abolition and abolition of different forms of feudalism and rapid industrialization of Nepal. It promised greater scientific efficiency in administration by removing corruption and bribery. Its 13-point agrarian reform plan gave high priority to village development, land distribution to the peasants, facilities for better cultivation, cottage industry and improvements in health, education and communications. It stood for protection of forest wealth, promotion of heavy industries, security of foreign capital, and labour legislation. In foreign affairs it stood for peace through the United Nations and adhered to the policy of non-alignment.

The Nepali Congress was the party which had represented all progressive forces during the 1950-51 revolution. It was very confident of its success at the polls and set up candidates for all 109 seats. Its calculations proved to be correct by the results declared.

The Gurkha Parishad<sup>25</sup> was a right-wing party which stood for the institution of monarchy “which has always been in favour of popular democracy, not a stumbling block against it”<sup>26</sup> and administrative, judicial and agrarian reforms. It also stood for world peace. Its emphasis was more on nationalism and patriotism and mixed economy. It was supported mostly by the Ranas and the aristocracy. It was a conservative party.

<sup>24</sup>*Nepali Congress Chunao Ghosanapatra*, Kathmandu, 1959.

<sup>25</sup>*Nepal Rashtravadi Gurkha Parishad Ka Chunao Ghosanapatra*, Kathmandu, 1959.

<sup>26</sup>*Ibid.*, pp. 3-4.

**TABLE XV**  
**Typology of the Political Parties in 1959 General Election**

<i>Sl. no.</i>	<i>Name of political party</i>	<i>Core leadership</i>	<i>Classification</i>	<i>Character</i>
1.	Nepali Congress	B.P. Koirala Subarna Shamsheer Ganesh Man Singh S.P. Upadhyaya	National	Modern
2.	Gurkha Parishad	Mrigendra Shamsheer Bharat Shamsheer Randhir Subba Dev Bir Pande	National	Modern
3.	Communist Party	Pushpa Lal Manmohan Adhikari Tulsi Lal Kesar Jang Rayamajhi	National	Modern
4.	Praja Parishad (Acharya Faction)	Tanka Prasad Acharya Ram Hari Sharma Chauda Prasad Sharma	One caste- friendship clique	Traditional
5.	Praja Parishad (Mishra Faction)	Bhadrakali Misra	One personality party	Traditional
6.	United Democratic Party	Dr K.I. Singh	One personality party	Traditional
7.	Tarai Congress	Vedanand Jha	One personality party	Traditional
8.	Rashtriya Congress	Dr D.R. Regmi	One personality party	Traditional
9.	Prajatantrik Mahasabha	Ranganath Sharma	One personality party	Traditional

*Source:* Based on Report of the Nepal Election Commission, *Nirvachan Sandesh*, Kathmandu, 2016 V.S.; and Joshi and Rose, *Democratic Innovations in Nepal*, Berkeley and Los Angeles, 1966, p. 502.



The Communist Party<sup>27</sup> asserted that during the eight years of the interim government the people were harassed and their rights infringed and they were teargassed and lathi-charged. It highlighted in its party manifesto the semi-medieval backwardness of the Nepalese peasant, the growing unemployment among the middle class and the growing administrative inefficiency. It promised a three-point foreign policy based on the abrogation of British recruitment of Gurkhas in Nepal through a treaty, amendment of the 1950 Trade Treaty with India, and resistance to American infiltration in the country.<sup>28</sup>

Among other political parties, the Praja Parishad was formed as early as 1936. But it split in 1958 between the Tanka Prasad Acharya faction and Bhadrakali Mishra faction and this weakened its strength at the time of elections.

The Prajatantrik Mahasabha stood for traditional religion.<sup>29</sup> D.R. Regmi's Rashtriya Congress stood for developing national and other languages.<sup>30</sup> The Tarai Congress demanded a "Nepali Union" at the centre with autonomous units set up all over Nepal.<sup>31</sup> The United Democratic Party (or Samyukta Prajatantra Party) organized by K.I. Singh in 1955 proposed liquidation of the landed aristocracy, prohibition of cow slaughter and religious conversion and establishment of a "real monarchical democracy"<sup>32</sup> in Nepal.

Besides these major and minor and modern and traditional political parties, there were 339 Independents contesting different constituencies "on the basis of their education or the financial resources at their commands without properly calculating their chances of success."<sup>33</sup>

(d) *Election Results.* It was feared that the majority of the people in their inaccessible hill hamlets would vote for those they knew.

<sup>27</sup>*Election Manifesto of the Communist Party of Nepal*, Kathmandu, 1959.

<sup>28</sup>*Ibid.*, p. 12.

<sup>29</sup>*Nepal Prajatantrik Mahasabha Ka Nirvachan Ghoshnapatra*, Kathmandu, 1959.

<sup>30</sup>*Prakash*, 13 January 1959.

<sup>31</sup>*Nepal Tarai Congress Ka Chunao Ghoshnapatra*, Kathmandu, 1959.

<sup>32</sup>*Samyukta Prajatantra Party Nepal Ka Chunao Ghoshnapatra*, Kathmandu, 1959.

<sup>33</sup>Angur Baba Joshi, 'The First General Election in Nepal,' *Parliamentary Affairs*, London, 1959, Vol. 12, pp. 311-319.

It was obviously impossible too for the political parties and their leaders to canvass and reach all the hills and make the people know about their programmes. So there was apprehension that the elections would not give one party a clear majority. This would mean a coalition government again and Nepal would never be free from ministerial instability.

This being the first election in Nepal, nobody expected people to be intelligent enough to understand the issues and show political consciousness or alertness and enthusiasm. But such fears and anxieties were belied when, with astounding interest all over the country, each constituency was contested by an average of 8.9 candidates.

The country voted the Nepali Congress to power with a clear and absolute majority of 74 seats out of the 108 contested in a House of 109. Table XVI indicates the election results and party position:

TABLE XVI  
Nepal's General Election Result at a Glance, 1959

<i>Sl. no.</i>	<i>Name of political party</i>	<i>Seats contested</i>	<i>Seats won</i>	<i>Number of votes polled</i>	<i>Percentage of total votes</i>
1.	Nepali Congress	108	74	666,898	37.2
2.	Gurkha Parishad	86	19	305,118	17.3
3.	United Democratic Party	86	5	177,508	9.9
4.	Communist Party	47	4	129,142	7.2
5.	Praja Parishad (Acharya Faction)	46	2	53,083	2.9
6.	Praja Parishad (Mishra Faction)	36	1	59,820	3.3
7.	Tarai Congress	21	0	36,107	2.1
8.	Rashtriya Congress	20	0	12,707	0.7
9.	Prajatantrik Mahasabha	68	0	59,896	3.3
10.	Independents	268	4	291,149	16.7

*Source:* Based on Report of the Nepal Election Commission, *Nirvachan Sandesh*, Kathmandu, Asadh 1, 2016 V.S., p. 2; and G.B. Devkota, *Nepal Ko Rajnitik Darpan*, 2016, V.S., p. 698.

Approximately 42 per cent of the eligible voters exercised their franchise with the highest percentage of 53 per cent in Kathmandu and the lowest in Dailekh in western Nepal.

The voters gave a big jolt to all the prominent political leaders except B.P. Koirala of the Nepali Congress. All other stalwarts—K.I. Singh, Tanka Prasad Acharya, Bhadrakali Mishra, D.R. Regmi, Randhir Subba, Pushpa Lal Shrestha, Rangnath Sharma and Vedanand Jha—who had tall claims of being the true leaders of the people were defeated at the polls.

Four parties emerged on the national scene—the Nepali Congress, the Gurkha Parishad, the United Democratic Party and the Communist Party. Together they captured 93 per cent of the total seats.

Out of the 268 Independents, only four were voted in. Smaller factional groups fared very badly and the voters tried to eliminate them. These factional leaders were actually responsible for the prolongation of the interim period and the postponement of the general elections. Moreover, the factional parties revolved round personalities and not ideologies. It is indeed commendable that the voters voted for ideologies and not for personalities.

By giving a clear verdict to the Nepali Congress, the voters voted against coalitions or unstable governments, of which they had had enough experience from 1951 to 1959.

The voting pattern indicated that the Gurkha Parishad was strong in the districts of east 1 and 2 and Gorkha, Dhading and Nuwakot.

The Communist Party was strong in the districts of Dang, Banke and Bardia (in the western tarai) and Saptari, Bara, Parsa and Rautahat in the eastern tarai.

K.I. Singh's United Democratic Party had some strength in the western tarai.

Table XVII indicates the party position in Kathmandu valley. As can be seen, it represented the national position in miniature. The Nepali Congress won two seats out of five. The other three parties—the Gurkha Parishad, the Communist Party and the United Democratic Party secured one each.

The Nepali Congress showed that it was the real people's party in the country, with a strong organizational base in villages and towns. As we examined earlier, it had spearheaded the 1950-51 revolution but during the interim period it was relegated to the background as an Opposition party and both King Tribhuvan and King Mahendra had invariably left it out in the final ministry-making.

This might have been the result of ideological clarity and firmness and lack of political opportunism. Much of its success may also be attributed to the leadership of the young, dynamic and uncompromising B.P. Koirala, who, as the election results showed, emerged

TABLE XVII  
General Election Results in the Kathmandu Valley, 1959

<i>Sl. no</i>	<i>Name of winning party</i>	<i>Name of constituency</i>	<i>Votes polled</i>	<i>Number of seats won</i>
1.	Nepali Congress	Kantipur	10,986	1
2.	Gurkha Parishad	Kathmandu West	6,262	1
3.	Communist Party	Lalitpur	7,959	1
4.	Nepali Congress	Bhaktapur	6,068	1
5.	Samyukta Prajatantra Party (or United Democratic Party)	Kathmandu North East	8,755	1

*Source:* Based on the Report of the Nepal Election Commission, *Nirvachan Sandesh*, Kathmandu, Asadh 1, 2016 V.S.

as a leader of national stature. His various speeches demonstrated that he was impatient to achieve the unfinished goals of the 1950-51 revolution. We may now consider the administration under the first elected government of Nepal.

#### ADMINISTRATION UNDER THE FIRST ELECTED GOVERNMENT

In order to “found Democracy on a more solid basis and to raise the standard of living of the masses and to develop the country within the framework of the laws enacted,” the royal proclamation of 27 May 1959 said: “I have, therefore, by these presents designated Shri Bisheshwar Prasad Koirala as the Prime Minister . . . .”<sup>34</sup> and Subarna Shamsher as the deputy prime minister of Nepal. And thus ended the interim period of about nine years which had seen the rise and fall of about ten governments in post-revolutionary Nepal. It also marked a turning point in the uncertain and unprincipled politics of this small country which had bred political chaos and frustration. The people felt a sense of

<sup>34</sup>“Proclamation Forming a Cabinet of the Party Commanding the Majority in the First General Election,” *Proclamations, Speeches and Messages*, Vol. I, p. 143.

relief. As the Nepali Congress had spearheaded the 1950-51 revolution, it was now expected that with a clear mandate from the people it would fulfil the unfinished tasks of that revolution.

Welcoming the new cabinet, a Kathmandu newspaper wrote: "We hope that under the mature leadership of the Nepali Congress headed by dynamic B.P. Koirala, the country will be able to realise the goal it has set before itself."<sup>35</sup>

Another paper, *Samaj*, observed: "A chapter in the political life of the country has come to an end. We pledge ourselves to support it whole-heartedly in the nation building task."<sup>36</sup>

Thus, optimism ran high when the first elected Government under B.P. Koirala was proclaimed on 27 May 1959.

*Hopes and Fears.* B.P. Koirala started as the country's prime minister as well as president of the Nepali Congress. Thus the possibility of friction between the party and the government, as was seen in the past, was removed. He also started with tremendous goodwill of the people and the support of the electorate. He had an overwhelming majority in the pratinidhi sabha, and was now responsible not only to the king but also to the pratinidhi sabha. The king had pledged his support to the new government in his address of 24 July 1959. Above all, the Nepali Congress suffered from no ideological weakness and its leadership was strong, "both in its 45 year old chairman, B.P. Koirala, and its General Secretary, Surya Prasad Upadhyaya, and the membership of such distinguished people like General Subarna. . . ."<sup>37</sup>

It is significant to note that though on 4 May 1959 Subarna had submitted the resignation of the caretaker government, King Mahendra delayed B.P. Koirala's appointment till 27 May 1959. Probably he wanted Subarna, and not B.P. Koirala, as prime minister<sup>38</sup> and hence the delay. There was a fear: Would the king reconcile with the political change? As has been seen he had till then played a leading role in the government and now he ran the risk of being overshadowed by his own prime minister who was popular, young and dashing. There was another fear as well. B.P.

<sup>35</sup>*Commoner*, 28 May 1959.

<sup>36</sup>*Samaj*, 28 May 1959.

<sup>37</sup>H.C. Taussig, *op. cit.*, p. 18.

<sup>38</sup>See Gupta, *op. cit.*, pp. 148-49 in which he refers to his interview with the speaker of the *Pratinidhi Sabha*.

Koirala was expected to serve the two masters—the electorate, who had voted him to power with a thumping majority, and the king, who, under the 1959 Constitution, had emerged as the sovereign entity. These created difficult situations indeed.

B.P. Koirala had himself explained this dilemma in his presidential address at the seventh conference of the Nepali Congress. He had said:

In view of the people the Nepali Congress has formed a Government which wields entire authority and power, and this makes it easier for antagonistic elements to initiate and carry on propaganda against the Government. On the one hand, there are the limits set by the Constitution; on the other hand, there is the terrible problem of the country's poverty—both these factors make the position of the Government extremely vulnerable.<sup>39</sup>

Externally, Nepal was sandwiched between a totalitarian Communist China, which had recently raped Tibet, and a democratic India, not on good terms in 1959 with that country. So there were many hopes and fears for the new government. The new government was thus to perform a tightrope dance in its efforts to deal with its giant neighbours.

Against this perspective we shall examine how the new government at once set itself to the task of reaching the unattained goals of the 1950-51 revolution through the existing administration by introducing changes in the administrative machinery at the central, district and local levels.

(a) *Central Administration.* Coinciding with the birthdays of the present and previous kings—30 June and 1 July—respectively, the 109 elected members were sworn in at midnight on these dates in 1959. The Congress, with more than two-thirds majority in the Lower House, formed the government.

The Upper House was also elected. Eighteen members were elected from the Lower House and 18 members were nominated by the king. The Congress had only 14 members in the Upper House. The members were sworn in on 19 July 1959. By the middle of

<sup>39</sup>See *Presidential Address at the Seventh Conference of the Nepali Congress*, Kathmandu, 1960, p. 5.

July both Houses of parliament had begun functioning.

In his address to the first elected parliament on 24 July 1959, King Mahendra had enthusiastically said:

To welcome you all to this House, the first ever of its kind in our land. . . the House which could be worked upon as an attempt at giving true shape to the democracy of my Father's dream. . . . My Government is determined to fulfil the popular aspirations to the greatest possible extent. To this end, various service cadres are being organized to make the administrative machinery efficient, simple, economic and expeditious and oriented to the appreciation of ability and honesty. Necessary reforms shall also be made in district administration. It could not be hoped that administrative machinery would be geared to the democratic needs and popular aspirations in a matter of one year. Nevertheless, no pains shall ever be spared to achieve this objective. . . .<sup>40</sup>

Thus started the new government and parliament with a new hope cherished by the king as well as the people.

Table XVIII shows the various ministries and the portfolios of ministers and deputy ministers as on 31 August 1959.

Looking at it purely from the public administration point of view and disregarding the political aspects, it appears that the number of ministries again increased to 13 from nine as in 1955. Probably the number could have been reduced to nine or ten in order to have better coordination of related functions.

The cabinet of 11 ministers and ten deputy ministers was the largest since 1951. But it was the most homogeneous and the most representative of all shades and views and ethnic and territorial groups in Nepal. Moreover, for the first time since 1951, it included a woman minister. It was also distinguished by representing overall the youth and enthusiasm of Nepal.

Besides these ministries, there were also 32 major agencies, institutions and offices subordinate to them. A number of departments

<sup>40</sup>“Address to the First Parliament,” *Proclamations, Speeches and Messages*, Vol. I, p. 149.

**TABLE XVIII**  
Nepal's Portfolios as on 31 August 1959

<i>Sl. no.</i>	<i>Minister</i>	<i>No.</i>	<i>Minister</i>	<i>No.</i>	<i>Deputy minister</i>
	Prime Minister	1	B.P. Koirala		
1.	Defence		„	1	Min Bahadur Gurung
2.	Foreign affairs		„		
	Deputy prime minister	2	Subarna Shamsher		
3.	Finance		„	2	Shiv Pratap Singh
4.	Planning and development		„	3	Dr Triveni Prasad Pradhan
5.	Village development	3	Dr Tulsi Giri		
6.	Home, law and general administration	4	S.P. Upadhyaya	4	Hora Prasad Joshi (Law)
				5	Diwan Singh Rai (Home)
7.	Parliamentary affairs	5	Suryanath Das Yadav		
8.	Transport, communications and public works	6	Ganesh Man Singh	6	Lalit Jung
				7	Jawan Singh Gurung
9.	Commerce and industries	7	Ram Narayan Mishra		
10.	Public health	8	Kashinath Gautam	8	Dwarika Devi Thakurani
11.	Education	9	Parshu Narayan Chaudhary		
12.	Forest	10	Shiv Raj Pant	9	Nepal Bahadur Malla
13.	Agriculture, food and irrigation	11	Prem Raj Angdambe	10	Yogendra Man Sherchand

*Source: Based on The Report on Public Administration in Nepal, Kathmandu, 1959, typed, p. 6.*



were performing the same or related functions and their consolidation could have increased the administrative efficiency.

The Congress in its election manifesto had recognized that the present administrative system was “loose and unscientific.”<sup>41</sup> It was pledged to a scientific reform of the administrative machinery. It was also pledged to administrative decentralization, district reorganization, recruitment based on merit, a reorganization of service cadres and elimination of corruption and bribery.

The first thing the government decided to do was to repeal the three Acts—the Work Expediting Committee Act, 1958; the Planning Commission Act, 1958 and the Nepal National Council Act, 1958. A gazette notification of 8 June 1959<sup>42</sup> abolished these three bodies. The Planning Commission was replaced with a Planning Board “to expedite and facilitate the execution of the Plan or fulfilment of its targets.”<sup>43</sup>

“To execute the recommendations of the Board a separate Finance Committee of the Cabinet”<sup>44</sup> was also formed under the chairmanship of the new prime minister. This was done to give maximum momentum to the development programme.

But the success of the plan depended much more on the competence of the administrative personnel.

During June 1959, the government’s attention turned to the central secretariat. A few important administrative measures were taken.

The post of chief secretary was abolished and replaced by that of cabinet secretary. Rules were laid down for the writing of the confidential character roll (CCR) of civil servants. The advisory assembly secretariat was converted into a parliamentary secretariat.

The government also decided to form several departmental committees<sup>45</sup> to advise the government in executive matters. Such committees were to include non-official experts and members of the opposition also. This was a positive step towards democratization

<sup>41</sup>*Nepali Congress Chunao Ghoshnapatra*, p. 12.

<sup>42</sup>*Nepal Gazette*, 8 June 1959, Jestha 25, 2016 V.S.

<sup>43</sup>“Address to the First Parliament,” *Proclamations, Speeches and Messages*, Vol. I, p. 150

<sup>44</sup>*Ibid.*

<sup>45</sup>*Naya Samaj*, 5 June 1959.

and association of MPs in administration.

Ministers started working long hours in the departments concerned and in studying files in connection with secretariat reorganization. B.P Koirala was reported to have started attending the secretariat at 8 A.M.<sup>46</sup> He disclosed on 20 June 1959 that "administrative reorganization does not mean indiscriminate appointments or dismissals."<sup>47</sup> He further said that the changes would be made "on the basis of ability and efficiency."<sup>48</sup>

On 4 June 1958 Home Minister Surya Prasad Upadhyaya said that strong measures would be taken to check corruption.<sup>49</sup> He took steps to institute government enquiries in corruption charges against ambassador Daman Shamsheer<sup>50</sup> and ex-minister Bhupal Man Singh.<sup>51</sup> The acting bada hakim of Saptari, Udai Bahadur, was punished with fine and dismissal on charges of corruption.<sup>52</sup>

On 10 June 1959 the government fixed the salaries of MPs at Rs 200 per month plus Rs 12 per day during session<sup>53</sup> so that they could devote their whole time to the welfare of the country.

A gazette notification of 27 July 1959 announced the names of 11 top secretaries. For the first time they were put on a probationary period of one year and were assigned special posts in the Nepal Administrative Service (NAS).

The 11 secretaries were allotted the various ministries on a more rational and scientific basis, as Table XIX shows.

As the table indicates, village development, because of its new importance and role, formed a separate ministry under a separate secretary. The Koirala cabinet was very enthusiastic about the village development programme. The names of secretaries indicate that most of the new secretaries were non-Rana and non-Shah, upon whom the Congress government could depend and the relationship

<sup>46</sup>*Halkhabar*, 10 June 1959.

<sup>47</sup>*Kalpana*, 20 June 1959.

<sup>48</sup>*Ibid.*

<sup>49</sup>*Swatantra Samachar*, 4 June 1959.

<sup>50</sup>*Nepal Samachar*, 14 June 1959 for details. The ambassador was alleged to have misappropriated a sum of four lakh rupees.

<sup>51</sup>*Janta*, 20 June 1959. The minister had given a contract to his son-in-law on favourable terms.

<sup>52</sup>*Samaj*, 10 July 1959.

<sup>53</sup>*Halkhabar*, 10 June 1959.

between the new ministers and of the secretaries could be one of mutual understanding and trust. Moreover, B.P.Koirala desired the new secretaries to depend wholly on ministers and look to them for guidance rather than to the palace.

TABLE XIX

The Eleven Top Secretaries and the Ministries as on 27 July 1959

<i>Sl. no.</i>	<i>Name of secretary</i>	<i>Name of the ministry allotted</i>
1.	Sobhag Jang Thapa*	Cabinet secretariat, defence
2.	Nar Pratap Thapa	Foreign
3.	Kul Nath Lohani	Planning and development
4.	Ram Prasad Joshi	Finance
5.	Prem Nar Singh Pradhan	Home
6.	Yog Prasad Upadhyaya	Works, communications and irrigation
7.	Bhavnath Sharma	Food, agriculture and forest
8.	Pradyuman Lal Rajbhandari	Education, health and LSG
9.	Tarak Bahadur Shah	Village department
10.	Bishwa Shanker Shukla	Industries and commerce
11.	Shambhu Prasad Gyavali	Law and parliamentary affairs

*Source:* Based on Gazette Notification, 27 July 1959.

\*Sobhag Jang Thapa was appointed as the cabinet secretary.

By 22 August 1959 the reorganization of the Nepal Administrative Service (NAS) which included all the gazetted officers in the central secretariat was announced.<sup>54</sup> For the first time deputy and assistant secretaries were replaced by *up-sachiv* (under secretary) and section officers under the new scheme.<sup>55</sup> Each section officer was made incharge of a section in the secretariat department.

The prime minister also disclosed that the new appointments were all made on a one-year probation.<sup>56</sup> That is, he desired to place them on a permanent basis after a year's trial. It was a major change in the central administration and a sure improvement in the personnel administration of Nepal.

While welcoming the administrative change, *Nepali* reported in its issue of 24 August 1959: "... the administrative machinery has been infected with dynamic force . . . we hope the officials will not

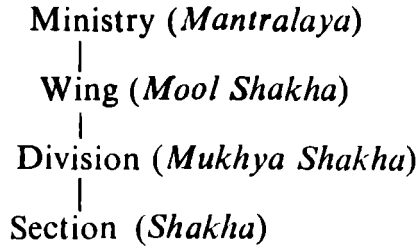
<sup>54</sup>*Official Press Note*, HMG Nepal, 22 August 1959.

<sup>55</sup>*Ibid.*

<sup>56</sup>*Kalpana*, 23 August 1959.

disappoint the people . . . .”<sup>57</sup>

The organizational structure of the ministries of HMG had now various wings (*mool-shakha*) divided into various divisions and sections as follows:



A wing could have a department (*vibhag*) or directorate (*nirde-shnalaya*) as well.

At the Administrative Training Centre at Kathmandu new officials underwent training courses. The *Naya Samaj* reported on 14 September 1959 that successful trainees were awarded certificates by the assistant minister. The home minister introduced the system of surprise checks in the various offices of the central secretariat. These checks organized on 24 December 1959 had a good effect on erring officials.<sup>58</sup>

In the personnel administration, another improvement was announced on 18 February 1960, when the Government introduced a new pay scale with effect from 13 April 1960. Another notable administrative achievement was the formation of the various service cadres under which all technical staff of the government—doctors, engineers, professors, etc.—were placed.<sup>59</sup>

The assistant home minister told the pratinidhi sabha on 27 May 1960 that the new government had 386 women employees.<sup>60</sup> Thus, not only a woman minister but also women employees in the public services presented a fresh outlook for Nepalese administration and marked a departure from stagnant tradition.

Each service in all the new cadres was given a three-tier hierarchy of A, B and C (*ka*, *kha*, and *ga*) categories, based on qualifications and seniority. Moreover, to strengthen the principle of career service, on 23 August 1960 the government announced

<sup>57</sup>*Nepali*, 24 August 1959.

<sup>58</sup>*Kalpana* and *Naya Samaj*, 25 December 1959.

<sup>59</sup>*Nepal Gazette* (Extraordinary Issue), 3 March 1960, Falgun 20, 2016 V.S. *Nepal Gazette*, 28 March 1960, Chaitra 15, 2016 V.S.

<sup>60</sup>*Swatantra Samachar*, 28 May 1960.

the names of 53 high officials who were placed on a permanent basis.

Thus, the new government helped, through many-sided reforms, the emergence of a bureaucracy in Nepal which is so important for the economic development of any country. We shall discuss the details of the reforms in the field of personnel administration elsewhere in a separate chapter.<sup>61</sup>

In the field of anti-corruption, the notable achievement of the new government was the strengthening of the special police department and the special police office to deal with corrupt officials. A notification of the home ministry, dated 25 April 1960<sup>62</sup> introduced a booklet with a red cover containing the photograph of the special police officer with the seal of the department and the chief special police officer, so that they could investigate any government department and deal with cases of corruption and bribery.

The anti-corruption departments were opened in the districts as well. Anti-corruption rules were also framed by the new government. One Damodar Das, ICS, of the Indian anti-corruption department worked as adviser to HMG.<sup>63</sup>

B.P. Koirala also introduced the system of weekly meetings with the departmental secretaries in the central secretariat<sup>64</sup> to achieve speed and efficiency and better coordination in the general administration.

For the first time the public was allowed entry into the civil secretariat after 3.30 P.M. every day.<sup>65</sup> Thus, the people, without disturbing the secretariat officials, could get the opportunity of meeting them for the redressal of their grievances and other work with the administration.

The system of awarding *dirgha seva patta* (long-service medals) to important civil and military officers who had completed 30 years of

<sup>61</sup>See Chapter VIII.

<sup>62</sup>*Nepal Gazette*, 25 April 1960, Baisakh 13, 2017 V.S.

<sup>63</sup>For details, *Nepal Samachar*, 19 August 1960. Damodar Das, ICS, had suggested setting up of district anti-corruption departments with headquarters in Nepalganj and Biratnagar for Tarai district and at Kathmandu for other districts.

<sup>64</sup>*Nepal Samachar*, 15 February 1960.

<sup>65</sup>*Halkhabar*, 15 February 1960.

service continued with the new government.<sup>66</sup>

At long last, the system of reserve personnel, which was under heavy fire since 1951 (because these reserve employees received pay for no work), was abolished by the Congress government in November 1960. According to a home ministry press note,<sup>67</sup> 99 officials in reserve were absorbed in various classes of the administrative service. The *Swatantra Samachar* of 25 November 1960 congratulated the government for this step as it would "result in greater administrative efficiency."<sup>68</sup>

The achievements of the Koirala government were remarkable both in the field of central administration and personnel management. Both the O & M office and the Institute of Public Administration continued as management-improvement agencies till 1960. The most remarkable achievement was the new administrative practice followed by the Koirala government in discouraging his colleagues from seeking favours from the king and discontinuing the practice of the top civil servants going to the royal palace, rather than to the prime minister, for their security and safety. This practice brought greater integrity, efficiency and harmony to the central administration.

Parliament was free to criticize the administration and it did so fearlessly, in spite of the overwhelming Congress majority. Moreover, the Congress government made plans to construct MPs' quarters in Kathmandu and fixed their pay and allowances so that they could perform their duties well and could fully exercise their rights and privileges. This was a new thing in Nepalese administration.

The organization of the central administration as it finally emerged in 1960 is better demonstrated through a chart (Chart VIII).

(b) *District Administration*. The Congress government was pledged to the programme of district reorganization. In his address to the first parliament on 24 July 1959, the king had also announced

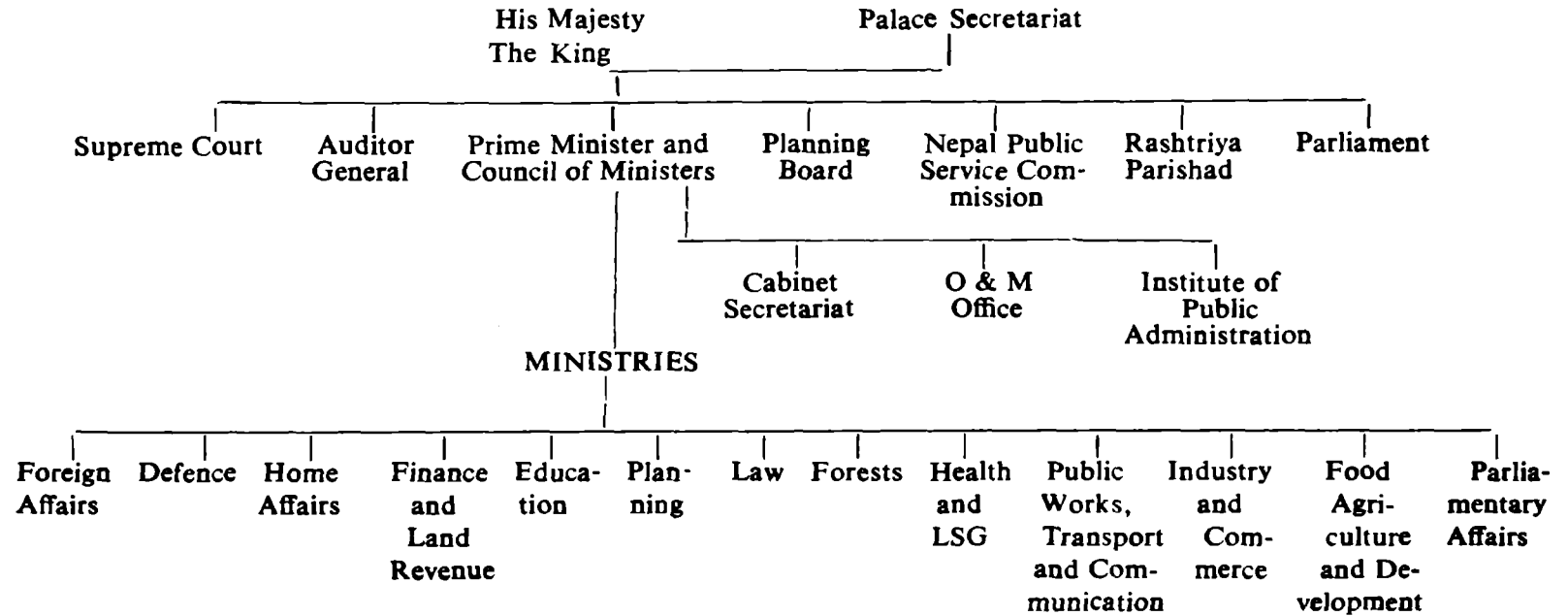
<sup>66</sup>*Naya Samaj*, 5 October 1960. The home minister awarded these medals to officers on 4 October 1960.

<sup>67</sup>*Gorkhapatra*, 23 November 1960.

<sup>68</sup>*Swatantra Samachar*, 25 November 1960.

### CHART VIII

Organizational Structure of the Central Administration as on the eve of the Royal Coup, December 1960



that his government shall bring "necessary reforms"<sup>69</sup> in the district administration.

Except the old activities, such as collection of revenue, law and order, customs, posts, telegraph and telephone, no activities had yet any real district administration of their own till the coming of the Congress government. A notable achievement to be noted here was that a number of departments, such as education, health, forests and agriculture, etc. worked out plans to organize their district administration. Moreover, the Congress government announced on 4 January 1960<sup>70</sup> the setting up of seven collection offices for the valley (east), the valley (west), Birganj, Mahottari, Morang, Bhairwa and Nepalganj for the collection of income tax and other taxes imposed under the new Finance Act, 1959.

Since the bada hakims were politicized by King Mahendra between 1955-59 and were his men, on 22 November 1959 the Koirala government published in the *Gorkhapatra*<sup>71</sup> a long list of new bada hakims. This reshuffle was called the "reorganization of bada hakims."<sup>72</sup> Some of the Kathmandu newspapers criticized this reorganization of the district bada hakims on three counts that: (i) the reorganization was "made on the back of the Public Service Commission;"<sup>73</sup> (ii) "the rule that persons above 35 years of age should not be appointed in government service has also been violated in the bada hakims' appointments",<sup>74</sup> (iii) inexperienced persons from the Nepali Congress had been placed in charge of important districts.

The Koirala government was mainly charged for the Congressization of the district administration. Many, of course, hailed the government's announcement of reshuffling the bada hakims as the government thereby "injected new blood, but has not overwhelmed the administrative machinery with it."<sup>76</sup>

<sup>69</sup>See "Address to the First Parliament." *Proclamations, Speeches and Messages*, Vol. I, p. 149.

<sup>70</sup>*Nepal Gazette*, 4 January 1960.

<sup>71</sup>*Gorkhapatra*, 22 November 1959.

<sup>72</sup>*Ibid.*

<sup>73</sup>*Samaj*, 23 November 1959.

<sup>74</sup>*Ibid.*

<sup>75</sup>*Halkhabar*, 25 November 1959.

<sup>76</sup>*Philingo*, 25 November 1959.



However, the major change in district administration was the new government's appointment of all the bada hakims in the rank of under secretary to the government.<sup>77</sup> Thus the traditional classification of bada hakims into A, B and C classes corresponding to the A, B and C districts and the old equations of their ranks to the corresponding ranks of secretary, deputy secretary and assistant secretary to HMG was wiped out.<sup>78</sup> In other words, all distinctions of classes among the bada hakims were finally abolished by the Koirala government.

Thus, for the first time, the classification of districts as announced in the *Nepal Gazette* of Asadh 2, 2010 V.S. was abolished and with it the corresponding differential status of the bada hakims. It was a remarkable administrative change effected in the district administration by the Koirala government.

Home Minister S.P. Upadhyaya had said in August 1959 that the government would reorganize the districts into larger and fewer units.<sup>79</sup> In pursuance of this policy an "Administrative Reorganization Committee" was set up. The committee discussed the problems of district reorganization, administration and development.<sup>80</sup> On its recommendations, the home ministry approved the following pattern of the field administrative units:<sup>81</sup>

Provinces	7
Districts	32
Sub-districts	76
Blocks	165
Gram panchayats	6500

But outside the traditionally established 32 districts the plan of improved administration and development could, however, not be realized.

On 18 February 1960 the government announced the appointment of DDOs (district development officers) to supervise, coordi-

<sup>77</sup> *Ibid.*

<sup>78</sup> Shrestha, *op. cit.*, pp. 18-19.

<sup>79</sup> *Halkhabar*, 6 August 1959.

<sup>80</sup> *Nepal Samachar*, 1 June 1960.

<sup>81</sup> *Report on Public Administration in Nepal*, Kathmandu, 1959, typed, p. 8.

nate and direct the implementation of short-term development projects throughout the country. In the various districts, district development boards<sup>82</sup> were also set up for developmental administration. The DDOs assisted the boards. These DDOs were appointed for a period of one year and were kept outside the civil service cadre and regulations.

The Congress government had made a further change in district administration when it framed rules under which top officials at the centre were to have a record of two-years service in the districts.<sup>83</sup> Thus, top officials in the central administration now could have better knowledge and understanding of the field than before. Moreover, it could encourage a better administrative relationship between the centre and the districts.

The Koirala government again put all the bada hakims, in the regular civil service cadre, in the rank of under secretaries to the government.

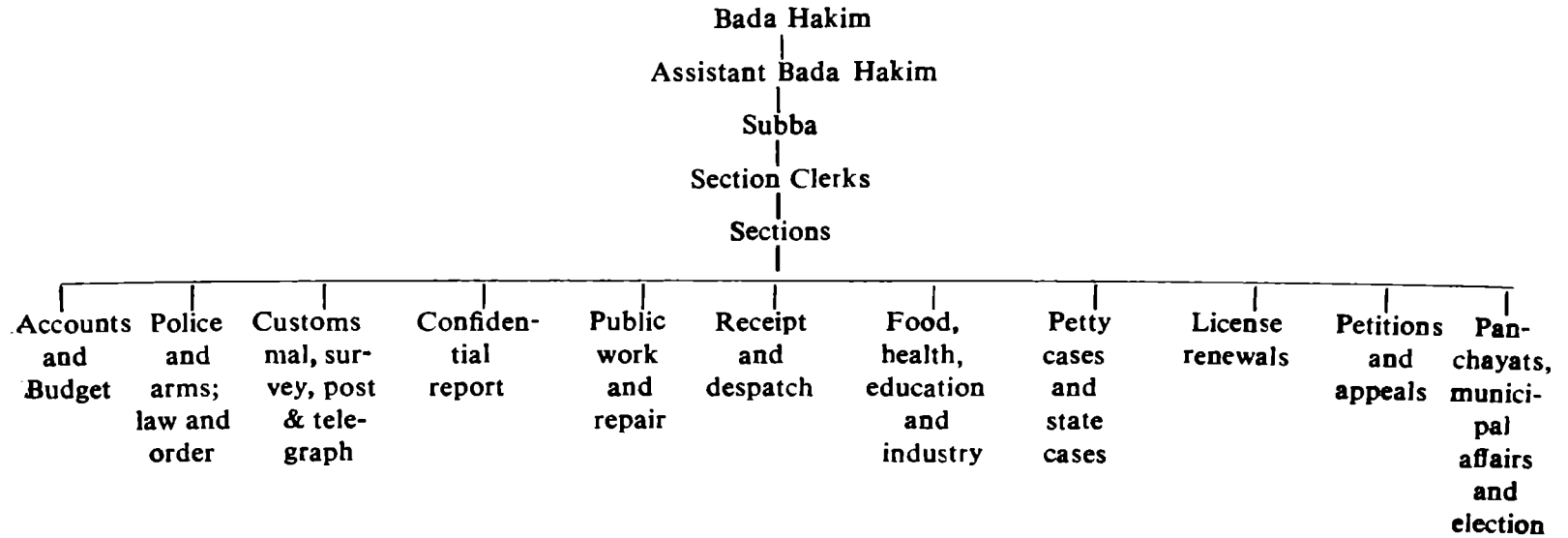
The functions of bada hakims obviously underwent several changes with the promulgation of Birta Abolition Act, 1959, and the expansion of the governmental activities in the field of social and welfare services. Now they were to activize matters concerning panchayats. They were also given powers over field staff of the central government in the districts. Bada hakims granted their casual leave, sanctioned tour programmes and moderated their projects, keeping in view the over-all project for the district. We may repeat here that during 1951 to 1960 the bada hakims, like the district magistrates and collectors in the Indian districts after Indian independence in 1947, continued to be the pivot of administration in the districts, with added responsibilities regarding land reforms, economic and social administration, agriculture and co-operatives, village development programmes, education, industries, etc. It may also be reiterated that the bada hakim like the French prefect,<sup>84</sup> continued to be the eyes, ears and nose of the central

<sup>82</sup>See *Jilla Prashasan Ko Nyaya Vyavastha Ko Vivaran*, HMG Nepal, Department of Publicity and Broadcasting, 1960.

<sup>83</sup>*Halkhabar*, 19 June 1960.

<sup>84</sup>The office of prefect, as established by Napoleon, is in presentday France probably more powerful than that of "intendant" of the *ancien regime*. Ridley and Blondel write: "He is the eyes and ears of the government. . .," F. Ridley and J. Blondel, *Public Administration in France*, London, 1964, pp. 92-94.

**CHART IX**  
**Organizational Structure of the District Office as on the eve of the Royal Coup, December 1960**



government in the district, which conceptually proved the most convenient and practical mode of governance and administration since the day of Bir Shamsheer.

By 1960, the district administration had evolved into a fairly clear-cut establishment, conforming to the total purpose and apparatus of the government in the district. In this apparatus, the bada hakim was the central, pivotal point and his office, still called goswara, came to have about 11 sections (or phants) as Chart IX will indicate. The chart also gives an idea of the functions the district office performed. The sections in the different district offices in the tarai and pahad varied in size and number according to their needs.

The main components of district administration were now: Law and order; revenue collection; land reforms; economic and social administration; and developmental administration.

Horizontally, the other district offices which were most important continued to be the SP or DSP office and the revenue office. The district judiciary had already been separated from the executive.

The Judicial Administration Act, 1958, authorized the bada hakim to hear several kinds of appeals. Against him, the appeal could be made to the higher court.

Jails, etc. were under the judiciary. But as the anti-corruption officer (or special police officer), the bada hakim was above all other officers in the district and could take action against anyone of them.

The valley administration continued as usual under the valley commissioner and the three magistrates.

One major problem which the Congress government was confronted with was the pressure of the northern neighbour (China) on Nepal's northern border districts. It was a difficult task.

On 11 July 1960, a Kathmandu daily<sup>85</sup> reported that the home minister was entrusted with the responsibility of strengthening the administrative machinery in the northern border areas. A committee was also formed with the valley commissioner as chairman. Later, a seven-member commission was formed under the chairmanship of Dr Tulsi Giri to take up administration of this area.<sup>86</sup>

<sup>85</sup>*Kalpana*, 11 July 1960.

<sup>86</sup>*Ibid.*, 14 July 1960.

A Kathmandu daily commented on 15 July 1960: "...formation of the Commission has gone against the spirit of the Prime Minister's reiteration that the Mustang incidents<sup>87</sup> were accidental and Nepal faced no danger from China."<sup>88</sup>

Later, Major-General Khetra Bikram Rana was appointed chairman of the newly created Northern Border Police Organization.<sup>89</sup>

Probably the Tibetan revolt in the spring of 1959 had its adverse effects on the northern border of Nepal. The Congress government was, however, successful in the administration of its border districts. It took effective administrative measures to strengthen the civil and police administration in these areas.

Thus, when the Chinese created an incident on the Mustang border area in June 1960, the Koirala government took a strong position and denounced the intrusion of the Chinese into Nepalese territory and the intruders were pushed back.

(c) *Local Administration.* With a view to speed up the development activities and to strengthen the grassroots of democracy, the Congress government launched a programme to extend free municipal institutions to many more Nepal cities and to spread a nationwide network of gaon panchayats. The setting up of a separate village development ministry in the central secretariat in 1959 reflected the government's concern for village development. The government also announced in August 1959 that part II A of the *Nepal Gazette* henceforth was to be devoted exclusively to the notifications regarding local self-governing institutions.<sup>90</sup> This, perhaps, further reflected the changed mood and the situation.

In September 1959,<sup>91</sup> a Village Development Committee was set up under the chairmanship of the village development minister. It included all the concerned HMG secretaries of village development, finance, planning, food and agriculture, and the director, Tribhuvan village development department. The director, Indian Aid

<sup>87</sup>On 28 June 1960 Chinese troops fired on Nepali border guards near Kore Pass in Mustang. One Nepali soldier was killed and ten others taken prisoner. This incident was called the Chinese "attack" by Koirala. For details see Chapter XI.

<sup>88</sup>*Naya Samaj*, 15 July 1960.

<sup>89</sup>*Nepal Samachar*, 25 July 1960.

<sup>90</sup>*Nepal Gazette*, 17 August 1959, Bhadra 1, 2016 V.S.

<sup>91</sup>*Ibid.*, 14 September 1959, Bhadra 29, 2016 V.S.

Mission was its adviser. Two months later, a Local Development Project Committee<sup>92</sup> was also set up to prepare and implement programmes relating to all-round village development—drinking water, sanitation, roads, irrigation, schools, libraries, dispensaries, gaon panchayats, etc. The village development minister was its chairman and the planning minister was its vice-chairman. The director, Indian Aid Mission was the adviser. According to an agreement signed in July 1959 with India, full Indian assistance was promised to this village development programme.

Unfortunately, the details are not available relating to the number of gaon panchayats actually set up during this period. However, a network of 6,500 gaon panchayats was proposed and many of them were also set up with Indian assistance. About 30 village development centres with American aid were also set up. Each centre corresponded approximately to a block (under a BDO). To render gaon panchayats more effective, panchayat supervisors and officers were also appointed and trained by the government. In April 1960 gaon panchayat rules<sup>93</sup> were also framed for the proper working of these panchayats.

On the basis of information gathered from the various issues of the *Nepal Gazette* published during this period, it could be said that new municipalities were set up at Pokhara, Illam, Bhojpur, Dhankuta, Butaul, Rajbiraj, Dharan, Janakpur, Sheoraj Tahlua, etc. Much enthusiasm was seen among the local people during these municipal elections. In April 1960 municipal (regulation of income and expenditure) rule<sup>94</sup> was also framed. A very novel experience in municipal administration, however, was the threatened strike<sup>95</sup> of the sweepers of Kathmandu Municipality for an increase in their salaries. Unfortunately, it is not known as to what happened to this threatened strike.

Summing up, it could be said that the local institutions during this period, being part and parcel of the welfare and development activities of the new elected government, further expanded and assumed a new context and tone.

<sup>92</sup>*Ibid.*, 30 November 1959, Marg 15, 2016 V.S.

<sup>93</sup>*Ibid.*, 25 April 1960, Baisakh 13, 2017 V.S.

<sup>94</sup>*Ibid.*

<sup>95</sup>*Nepal Samachar*, 23 August 1960.

*Other Administrative Reforms.* The Congress government brought reforms and changes not only in the central, district and local administration, and in personnel administration of Nepal, as discussed above, but also in other fields—fiscal, forest, judicial, police, legal, etc. Innovations were introduced in the budgeting and auditing system<sup>96</sup> and the tax collection machinery.<sup>97</sup> We shall discuss them in detail in the following section. Existing forest legislations and regulations were also modernized.<sup>98</sup>

In January 1960 three high courts were formed, one each for the eastern, western and central zones, under the new Judicial Administration Act<sup>99</sup> and judges and additional judges were appointed for a period of three years.<sup>100</sup> Later, in May 1960, reorganization of C grade judicial employees was completed.<sup>101</sup> The reorganization of the district and regional judges was also completed on 6 May 1960.<sup>102</sup> Twenty-four district and 89 regional judges were reported to have been appointed on one-year probation.<sup>103</sup>

In August 1960 the Police Reforms Commission, headed by the valley commissioner, met twice to discuss amendments in the police service rules and to consider police reorganization.<sup>104</sup>

On 30 October 1960 the Law Commission was constituted with a judge of the supreme court as chairman, “to study the whole prevalent Nepali laws on various subjects and to find out the shortcomings and practical difficulties in them and to make recommendations to HMG as to what reforms are expedient and essential to our legal system to mould it on the line of modern jurisprudence and to guarantee the Fundamental Rights to the people,”<sup>105</sup> which formed the main basis of democracy. A clear, simple and modern legal system was necessary for a new democratic administration

<sup>96</sup>*Gorkhapatra*, 22 January 1960.

<sup>97</sup>*Nepal Gazette*, 4 January 1960. Seven tax collection offices were set up in the valley and outside districts.

<sup>98</sup>*Halkhabar*, 18 March 1960.

<sup>99</sup>*Naya Prasasan Ain*, 2016 V.S., HMG Nepal, Ministry of Law, 1959.

<sup>100</sup>*Gorkhapatra*, 7 January 1960.

<sup>101</sup>*Swatantra Samachar*, 8 May 1960.

<sup>102</sup>*Ibid.*

<sup>103</sup>*Ibid.*

<sup>104</sup>*Janta*, 18 August 1960.

<sup>105</sup>*Nepal Gazette*, 30 October 1960, Kartik 15, 2017 V.S.

and society. The Law Commission was to recommend such modern jurisprudence.

The Congress government also launched a large-scale programme to build roads and bridges in order to improve the transport and communication in Nepal, which as we have seen has been the biggest hurdle for administration and people in general.

More frequently than on previous occasions, when there were unstable governments and direct rule, the Congress government referred the names of newly appointed employees to the Nepal Public Service Commission and consulted it. This point we shall examine in more detail in the next chapter.

On the whole, as can be seen despite its short 18-month tenure, the first elected Government of Nepal had many achievements to its credit in the field of central, district and local administration.

We shall now discuss briefly the financial administration during this period which covers four main sectors—budgeting, accounting, reporting and auditing.

(d) *Financial Administration.* The budget as a tool of financial administration was introduced for the first time in Nepal during 1959-60, when expenditure could not be legally undertaken by the government unless duly approved by the elected parliament, either as an annual or supplementary budget. It was this factor which made this period more important from the point of view of financial administration.

In 1959, however, “a new system of reporting revenue and expenditure items was brought into being.”<sup>106</sup> The monthly and quarterly statements from the mal addas and other reporting agencies were made available and reporting was done in a more proper way to the accountant-general.

The accountant-general was to see that all government accounts were kept in proper books and make necessary arrangements for ensuring smooth account-keeping operations in different administrative branches of the government. Numerous account sections were opened in all the ministries and departments of the government. The accountant-general’s office provided over-all leadership to those numerous account sections and resolved day to day problems and

<sup>106</sup>E. Himsworth, *The Fiscal System of Nepal, etc.*, Kathmandu, 1959, cyclostyled, para 32, p. 10.



difficulties regarding accounting and book-keeping. It also developed a sound financial reporting system throughout the government—an important tool of financial administration.

The accountant-general submitted annual accounts to the auditor-general who was the highest audit authority in Nepal. He examined the accounts to satisfy the elected parliament that the public money has been spent according to constitutional and legal sanctions and purposes authorized.

The Constitution of 1959 created for the first time an independent statutory auditor-general, under Article 61 (1), making his post equivalent to that of a supreme court judge. It provided in Article 62 (1):

The accounts of all departments of Government, including the office of the Cabinet, the Secretary to the House of Representatives, the office of the Supreme Court, and the Public Service Commission, shall be kept in such form as the Auditor-General, with the approval of His Majesty, may prescribe, and shall be audited by the Auditor-General who, with his deputies, shall at all times be entitled to have access to all books, records, and returns relating to such accounts.

It further provided:

The Auditor-General shall report annually to His Majesty in the exercise of his functions under this Article and His Majesty shall cause such reports to be laid before the House of Representatives [Article 62 (3)].

Thus the Constitution separated, for the first time, accounts and audit functions and through the auditor-general's authority ensured an independent and impartial audit. The annual audit report was to be laid before the elected House.

The old Kumari chowk office still existed at Kathmandu, located at Dilli Bazar. But now it was under the auditor-general and the whole process of audit underwent a change.

Article 46 (1) and (2) of the new Constitution provided for effective legislative control over estimates of revenue and expenditure.

The financial procedures laid down under Articles 46, 47, 48, 49 and 50 to be followed by the government in presenting its money demands to parliament were similar to the procedures followed in other democratic countries. These articles provided for budget estimates, demand for grants, appropriation bill, supplementary or excess votes, votes of credit, money bill, contingency fund and consolidated fund. The responsibility of seeing that expenses made by government were in accordance with the purposes mentioned lay with the auditor-general (Articles 61 and 62).

Finance Minister Subarna Shamsher in his budget speech to the first elected parliament on 9 August 1959<sup>107</sup> included a sizable outlay of over Rs 140 million for development for the fiscal year 1959-60.<sup>108</sup> In his estimates for the year 1960-61, the finance minister proposed Rs 250 million for development needs.<sup>109</sup> A national debt scheme was also introduced.

Thus, two budgets were introduced in Nepal—the regular or general budget which catered for ordinary expenditures on normal government services; and the development budget which dealt with expenditure as provided for in the development plans.

It is significant to note, however, that the greater part of the development expenditure in Nepal was being met from foreign aid which we shall discuss in detail in Chapter X. The bureaucratic cadare under the development budget was kept outside the regular bureaucracy.<sup>110</sup>

Since all expenditure was on government account, the continuance of the system of two budgets was criticized.

In the interest of sound financial administration from 2016-17 V.S. (1959-60) public accounts were kept in Nepalese rupees only.<sup>111</sup>

By 1960, the authority of the ministry of finance (with Subarna Shamsher as finance minister) over the administration of the financial affairs of the country, in matters relating to the guidance of all other ministries and departments of the government, was fully

<sup>107</sup>*Budget Speech, 1959-60, HMG Nepal, Publicity and Information Department, (n.d.).*

<sup>108</sup>*Naya Samaj, 27 September 1960.*

<sup>109</sup>*Budget Speech, 1959-60.*

<sup>110</sup>Chapter VIII.

<sup>111</sup>Himsworth, *op. cit.*, para 196, p. 57.

established. No ministry or authority could, without previous consent of the finance ministry, issue any order which involved grant of public revenue or relinquishment of government property.

But the main changing characteristic of financial administration between 1951 to 1959 period and 1959 to 1960 period was the factor which introduced the concept that the budget must be a tool of financial administration. To quote Himsworth: "In Nepal prior to 1960 there never was a budget in the sense in which that word is used in the Western world. . ."<sup>112</sup> He further observes: "With the advent of an elected Parliament in 1960, however, the Constitution under which that assembly work required that the budget should be submitted for Parliament's approval before any expenditure for the year could be authorised. . ."<sup>113</sup>

Thus, for the first time since 1951, Nepal had a democratic financial administration besides a democratic national and field administration which we have already discussed. Admittedly, the new institutions of parliamentary democracy with a responsible political executive and a bureaucratic authority were working well "to take the country to the level of the advanced countries of the world."<sup>114</sup>

Against the background of all these administrative changes from 1951 to 1960, we shall now discuss in the next chapter the making and the growth of bureaucracy in Nepal since the fall of the Ranas to the royal coup in December 1960.

<sup>112</sup>*Ibid.*, para 250, p. 78.

<sup>113</sup>*Ibid.*, para 52, p. 78.

<sup>114</sup>B.P. Koirala's speech, *Kalpana*, 11 December 1960.

## Chapter VIII

### Bureaucracy in the Making—1951-60

In spite of the political storms which swept over Kathmandu during 1951-60, substantial changes had been effected in the administrative system of Nepal. The country had, even in the face of great stress and strains, been successfully progressing towards a modern national and democratic administration. In fact, administration as an independent and permanent machinery devoted to the implementation of public policies or the execution of what S.E. Finer calls “public will”<sup>1</sup> (public administration), was created and evolved in Nepal during these years. As a part of this process the bureaucracy also took shape and emerged as an important factor in the field of Nepalese public administration.

As the previous chapters provide ample evidence, Nepal had no bureaucracy in the modern sense before the 1950-51 revolution. E.B. Mihaly also supports this view. He observes: “Nepal, like most underdeveloped countries (with noteworthy exceptions such as India), came on to the international scene in the post-war years with virtually no civil service, as the Rana governments had confined their activities to police and tax-collecting functions. . . .”<sup>2</sup>

We have already seen, how Nepal emerged from the decadent feudalism of the Ranas into the modern world in 1951. Now a bureaucratic organization in the central secretariat was set up for the smooth running of the various modern ministries, their wings, divisions, departments and sections. During 1951-59 the organizational structure of the bureaucracy was laid down. During 1959-60 the bureaucracy attained more stability, security, accountability and confidence under the first elected government.

<sup>1</sup>S.E. Finer, *A Primer of Public Administration*, London, 1950, p. 14.

<sup>2</sup>E.B. Mihaly, *Foreign Aid and Politics in Nepal*, London, 1965, p. 177.

We shall examine later how attempts were made to introduce in Nepal during the post-revolutionary period all the “three elements” constituting “bureaucratic authority”<sup>3</sup> in public administration, as identified by Max Weber. According to Max Weber, these three elements are:

- (1) The regular activities required for the purpose of the bureaucratically governed structure are distributed in a fixed way as official duties.
- (2) The authority to give commands required for the discharge of these duties is distributed in a stable way and is strictly delimited by rules concerning the coercive means, physical, sacerdotal, or otherwise, which may be placed at the disposal of officials.
- (3) Methodical provision is made for the regular and continuous fulfilment of these duties and for the execution of the corresponding rights; only persons who have the generally regulated qualifications to serve are employed.<sup>4</sup>

Max Weber has further observed that in all bureaucratic structures the principles of office hierarchy and of levels of graded authority, management of the modern office based upon written documents (the files) and records, formulation of general rules or practices for the management of the office and expert training of officials with the respective apparatus of material implements and files which “make up a bureau,” exist.<sup>5</sup>

We could say that such a bureaucracy as identified by Max Weber and which, in Robson’s words, “is clearly indispensable to modern government”<sup>6</sup> or which, according to Slesinger, serves as an instrument “created expressly for realising specific goals functionally integrated with a larger social system or society and consistent with its normative system,”<sup>7</sup> was in the making in Nepal during

<sup>3</sup>Max Weber, *Essays in Sociology*, London, 1948, p. 196. See Chapter VIII on “Bureaucracy.”

<sup>4</sup>*Ibid.*

<sup>5</sup>*Ibid.*, pp. 197-198.

<sup>6</sup>William A. Robson, “Bureaucracy and Democracy,” William A. Robson (ed.), *The Civil Service in Britain and France*, London, 1956, p. 2.

<sup>7</sup>Jonathan A. Slesinger, *A Model for the Comparative Study of Public Bureaucracies*, Michigan, 1957, p. 4.

1951-60. How the Nepalese bureaucracy was in the making will be evident from a brief analysis of its organizational structure, its control, its personnel administration, its training and its strength and weaknesses, which we shall discuss in this chapter.

Without an analysis of the organization, composition and character of the Nepalese bureaucracy during the period our study of the administrative system of Nepal would obviously remain incomplete.

#### ORGANIZATIONAL STRUCTURE OF THE BUREAUCRACY

In order to create a modern, viable administrative system and to promote the new goals of the changed political order, we have already examined how the modern ministries were constituted on a functional basis at the new central secretariat in 1951. From nine and ten the number of these ministries had increased to 13 and also 16 during 1959-60.

Each ministry was responsible for a specific function. It looked after a number of technical and other departments. A new bureaucratic structure was also created in 1951. It constituted of a secretary as the administrative head of the department, assisted by a hierarchy of others (deputy secretaries and assistant secretaries) and clerks. These clerks were divided into new cadres of "senior" and "junior" clerks. The old Rana designations of subba, kharidar and bahidar were, however, retained in the clerical grades.

The personnel was numerically allocated on the basis of the departments and agencies included in the portfolio of each ministry, for example, the home ministry had a total of 27 staff, while the finance ministry had 93 and general administration 83.<sup>8</sup> Through the secretary, the minister controlled the operating agencies. We know that the Public Service Commission was set up under part V of the interim Constitution of 1951, with a chairman and two members.<sup>9</sup>

However, the commission only laid down the specific minimum qualifications for the different posts. These were approved by the cabinet. The ministers made appointments in their ministries on

<sup>8</sup>For details see Chapter VI.

<sup>9</sup>See *Nepal Lok Seva Ayog Ko Pahilo Barshik Report*, 2016 Shrawan 1 Dekhi 2017 Asadh Masant Samma, HMG Nepal, Nepal Public Service Commission, 2017 V.S., p. 1.

this basis. This practice continued almost till 1959.

We have seen how the publication of the *Nepal Gazette* on 6 August 1951, “befitting a democratic Government”<sup>10</sup> helped in creating a new role for the bureaucracy in the administration. It published commission advertisement for new recruitments, government orders, rules, regulations, notifications, ishtihars, etc. The new filing system had replaced the old “scroll system” of the Ranas. Modernizing rules and procedures for the functioning of the new bureaucracy in the central secretariat were also introduced in 1951. These helped in the setting up of a proper administrative machinery. For the first time in 1952, government employees were divided into two broad categories—the Nepal Civil Service; and Nepal Technical Service.

Through a *Nepal Gazette* notification of Baisakh 1, 2010 V.S.<sup>11</sup> two new services were also introduced—the Nepal Education Service; and the Nepal Police Service. The Nepal Technical Service was further expanded to include engineering, medical, railway, forest, geological and mines, agriculture, post and telegraph, and Radio Nepal services.

In November 1954 all the district heads (bada hakims) who were till then politically appointed, were included in the Nepal Civil Service. This was an admirable step in 1954 towards the depoliticization of the bureaucracy.

The post of chief secretary was introduced in 1955 mainly to deal with cases of corruption and to coordinate the functions of all the ministries in the central secretariat. The chief secretary also functioned as cabinet secretary. Later, in 1957, both the offices existed as two separate entities. Under the Koirala government in 1959, the post of chief secretary was abolished and that of cabinet secretary retained.

By 22 August 1959, the posts of deputy secretary and assistant secretary were eliminated.<sup>12</sup> They were replaced by under secretaries and section officers. They were all gazetted officers.

Amongst the non-gazetted officials the bureaucratic hierarchy included the subba or naib subba as the administrative

<sup>10</sup>*Nepal Gazette*, 6 August 1951, Shrawan 22, 2008 V.S.

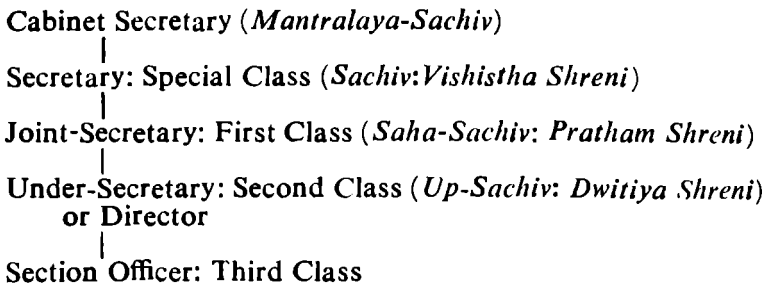
<sup>11</sup>*Ibid.*, Baisakh 1, 2010 V.S.

<sup>12</sup>Official Press Note, Kathmandu, 22 August 1959.

head, assisted by the kharidar or ditha and senior clerks (mukhia and bichari) and junior clerks (bahidar and nausinda).<sup>13</sup> The post of naib writer and naib ditha were abolished.<sup>14</sup>

By 1959, under the new goals set by the 1959 Constitution and by the Koirala government, the bureaucracy was given better pay scales and its structure was reorganized as shown in Chart X. It continued until the royal coup of December 1960.

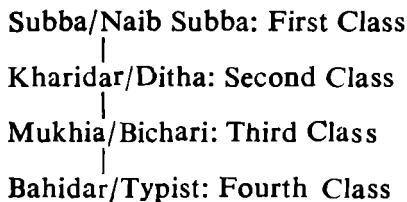
**CHART X**  
Organizational Structure of the Nepalese Bureaucracy in the Central Administration as on the eve of December 1960 Royal Coup



Thus, as it finally evolved, gazetted officers got a rank system based on a four-tier classification into secretaries, joint secretaries, under secretaries, and section officers.

The non-gazetted officials had also a rank system based on a four-tier classification, as shown in Chart XI.

**CHART XI**  
Four-Tier Classification of the Non-Gazetted Officials in the Central Administration as on the eve of December 1960 Royal Coup



Such, in short, was the organizational structure of Nepalese

<sup>13</sup>See Purushottam Sharma Suvedi, *Nepal Ka Samvidhan Tatha Sarvajanic Prashasan*, Kathmandu, Ratna Pustak Bhandar, Magh 2023 V.S., p. 191.

<sup>14</sup>*Ibid.*



bureaucracy as it finally evolved a decade after the 1950-51 revolution.

In this organizational structure of the Nepalese bureaucracy the Koirala government included all the bada hakims and the valley magistrates. Since the distinction of the districts into A, B and C was abolished, all the bada hakims and the valley magistrates were put in the ranks of under secretaries (*up-sachiv*) in the second class of the Nepal Administrative Service (NAS).<sup>15</sup> This was a bold step of the Koirala government towards depoliticization of the district bureaucracy. Moreover, the posts in the central bureaucracy and district bureaucracy were made transferable for the first time during 1959-60. Other non-gazetted officials in the district had the same four-tier rank system as shown in Chart XI.

As seen earlier, in order to implement the development policies and programmes initiated by the first elected government in 1959-60, a different and separate development cadre in the development administration was introduced in Nepal outside the regular civil service cadre. It could be said that the development administration, which "as a concept is a part, a large part in the developing countries of the broader discipline of public administration,"<sup>16</sup> specially become important, and came to a sharp focus in Nepal with the introduction of national economic planning and the development budget which was contributed almost entirely by foreign missions.<sup>17</sup>

In February 1960, district development officers (DDOs) with a separate official hierarchy were appointed all over Nepal. These DDOs exercised direct control over the administration of short-term development projects in their districts. Also appointed were block development officers (BDOs), panchayat officers (POs) and panchayat supervisors. The four-tier hierarchy of the development officers was as shown in Chart XII.

As Joshi and Rose rightly observe: "These new officers held a quasi-official position in the government and were not encumbered

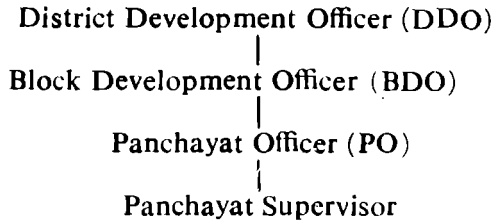
<sup>15</sup>Philango, 25 November 1959.

<sup>16</sup>J.N. Khosala, *Development Administration—New Dimensions* (a discussion paper presented to second conference of directors and principals of Institutes of Public Administration in the Commonwealth), cyclostyled, New Delhi, Indian Institute of Public Administration, January 1967, p. 2.

<sup>17</sup>To the extent of 78 per cent to 80 per cent of the development budget of Nepal.

by the usual red tape and rules of the bureaucracy.”<sup>18</sup>

**CHART XII**  
Four-Tier Hierarchy of the Development Officers during 1959-60



These development administrators had direct and quick access to the ministers for early disposal of their plans and schemes. But this also led to widespread criticisms of their being Congress “agents.”

It is important to note from the point of view of public administration that expansion in the bureaucratic structure to meet new and increasing demands resulted in vertical and horizontal extensions. New professional, technical and administrative grades were created and organized and extra specialist posts became necessary for development administration as indicated above.

By March 1960, the Nepalese bureaucracy had four important grades and services.<sup>19</sup> They were: the Nepal Administrative Service (NAS); the Nepal Foreign Service (NFS); the Nepal Judicial Service (NJS); and the Nepal Police Service (NPS).

Later, seven other grades and services included were<sup>20</sup>: the Nepal Revenue Service; the Nepal Agriculture Service; the Nepal Forest Service; the Nepal Health Service; the Nepal Engineering Service; the Nepal Education Service; and the Nepal Miscellaneous Services.

Thus, by 1960, the bureaucracy had 11 grades and services with each having a four-tier hierarchy of A, B and C classes, besides the selection grade (or *vishistha shreni*). Moreover, each addition of technical or professional grade invariably meant an increase in the number of the supporting staff such as first line supervisors, typists

<sup>18</sup>B. Joshi and L.E. Rose, *Democratic Innovations in Nepal, etc.*, 1966, Berkeley and Los Angeles, p. 350.

<sup>19</sup>*Nepal Gazette*, 3 March 1960, Falgun 20, 2016 V.S.

<sup>20</sup>*Ibid.* Also see *Nepal Ain Sangrah*, HMG Nepal, Ministry of Law and Justice, 2021 V.S., Vol. I, p. 329.

and clerical officials, peons, etc. It also meant, on the material side, equipment, stationery, cars, travelling allowances, office accommodation in the Singha Darbar, etc.

We may say that during the period 1951-59, ministerial control over the bureaucracy tended to be more supervisory. During 1959-60, ministerial control over the bureaucracy was more effective and real under the first elected Government of Nepal.

But the royal palace staff (both officers and subordinates on civil, military and judicial sides) were beyond the pale of the regular bureaucracy and ministerial control. They were recruited by "His Majesty, the King or any person authorized by Him on his behalf"<sup>21</sup> and held their posts "at His Majesty's pleasure."<sup>22</sup>

#### CONTROL OF THE BUREAUCRACY

Externally, two sources of control of any bureaucracy are: (a) those from within the governmental structure, and (b) those from outside.<sup>23</sup> Among the former are traditionally the legislative and the judicial branches of any government. The latter includes "political parties and political pressure groups, non-political pressure and special interest groups,"<sup>24</sup> organized public opinion (press, etc.) and the unorganized public.

In fact, the legislative branch controls, through the enactment of laws, fiscal controls, investigations, etc. In a parliamentary system, the ministers are held responsible to the legislature for the omissions and commissions of the bureaucracy.

The judicial branch controls through judicial review the decisions and actions of the bureaucracy.

The political parties, pressure groups, and special interest groups exert direct pressure on and elicit direct responses from the bureaucracy.

Press criticism and outright bribery of officials by the unorganized public are equally significant means of controlling the bureaucracy.

So far as the Nepalese bureaucracy was concerned, the legislative and judicial control became more effective during 1959-60, when

<sup>21</sup>See Royal Palace Service Act, 1959, Section 2, *Nepal Gazette*, 8 June 1959, Jestha 25, 2016 V.S.

<sup>22</sup>*Ibid.*, Section 3.

<sup>23</sup>For details see Slesinger, *op. cit.*, p. 15,

<sup>24</sup>*Ibid.*

the new Constitution and the general elections brought in a parliamentary government.

Other mechanisms of control came into being as early as 1951. The press and the political parties frequently attacked the bureaucracy for favouritism and corruption and personal favours from 1951 to 1960. Usually, the press attacked the district bureaucracy for establishing a reign of terror, corruption and inefficiency.<sup>25</sup>

Internally, two kinds of control<sup>26</sup> are pertinent in any bureaucracy—direct control in the form of coercion or a command. This is ensured through a system of penalties in the field of personnel administration. It also includes the rules of conduct and discipline. Second is indirect control which manifests itself through appropriate role behaviour, coordination and integration, decentralization and delegation of decision-making, division of labour, etc. and through channels of communication provides the controllers the control at subordinate levels.<sup>27</sup>

It could be said that both these mechanisms of internal control developed in Nepal, more specifically since 1956 which was a remarkable year in the history of Nepalese bureaucracy. We have seen how in 1956 the first codified Civil Service Act was approved and the first civil service rules were published. Through the efforts of the UN personnel administration adviser, Walter Fischer, the first manual on personnel administration was also prepared in 1958.

The creation of the cabinet secretariat, the O & M office and the posts of chief secretary and cabinet secretary further helped in evolving the internal control mechanisms of Nepalese bureaucracy.

But the basic and fundamental control of bureaucracy in any country is exercised not merely by the external or internal mechanisms which we have discussed above. That basic and fundamental control is exercised by such a constitutional or statutory body

<sup>25</sup>To cite an example, in January 1957 the *Commoner* reported that people of Illam had sent several petitions to the king charging the bada hakim of Illam of "forcibly detaining people and exhorting money from them." It complained that the bada hakim confiscated the land of an orphan and parcelled it out after realizing Rs 16,000 for himself. Three persons arrested were kept for seven days in armed custody and were released after taking Rs 1,000 from each. Such news appeared frequently during the period and the officers found guilty were often punished and removed. See the *Commoner*, 4 January 1957.

<sup>26</sup>For details see Slesinger, *op. cit.*, p. 11.

<sup>27</sup>*Ibid.*, pp. 12-13.

as a public service commission or civil service commission, which in any democracy throws open the services to “merit and open competition” and controls the recruitment, promotion and discipline of the bureaucracy.<sup>28</sup>

We shall therefore refer briefly to the composition, character and competence of the Nepal Public Service Commission during 1951-60 in order to assess its role as the controller of the bureaucracy.

Owing to undue political pressures and palace interference during the direct rule periods, the Public Service Commission, though set up on Asad 1, 2008 V.S., was, however, not consulted “except in a very few cases,”<sup>29</sup> by and large, until 1959. During 1959-60 the Koirala government “attempted to give the Public Service Commission real powers and independence.”<sup>30</sup>

It could be said, therefore, that effective control of the Nepalese bureaucracy during 1951-59 could not be achieved through the constitutional arrangement of the Public Service Commission. But for the next 18 months, during 1959-60, it did exercise control over the bureaucracy. We shall now examine how and why this happened.

(a) *The Nepal Public Service Commission (PSC), 1951-59.* Part V of the Interim Government of Nepal Act, 1951,<sup>31</sup> laid down the composition and functions of the Public Service Commission in Nepal in Articles 37-40. The Public Service Commission was to consist of a chairman and other members as the king prescribed (Article 37). True to the principles of cabinet government, Article 38 provided: “The Chairman and other members of the Public Service Commission shall be appointed by the King on the advice of his ministers.”

And so was constituted the first Public Service Commission in Nepal by King Tribhuvan on the advice of the prime minister on Asadh 1, 2008 V.S. with Sardar Nagendra Man Singh Pradhan as chairman and two other members.

Article 39 laid down: “The salary and other conditions of service

<sup>28</sup>For details see B.L. St John Hamilton, *Problems of Administration in an Emergent Nation: A Case Study of Jamaica*, New York, 1964, pp. 92-93. According to Hamilton, the control over Jamaican bureaucracy was exercised by the Public Service Commission under the new Constitution of 1957.

<sup>29</sup>*Buch Committee Report*, para 29, p. 14.

<sup>30</sup>Mihaly, *op. cit.*, p. 104.

<sup>31</sup>For the text of the Interim Government of Nepal Act, 1951, see *Nepal Gazette*, Bhadra 4, 2008 V.S., pp. 1-14.

of the Chairman and members of the Public Service Commission shall be the same as for the judges of the Pradhan Nyayalaya.” This implied that they were given the same status, dignity and security as high court judges. This was to enable them to work with independence and impartiality.

Article 40 laid down the duties of the Public Service Commission:

- (1) . . .to conduct examinations for appointments to all Services of the Nepal Government.
- (2) The Public Service Commission shall be consulted:
  - (a) on all matters relating to methods of recruitment to Civil Services and for Civil posts;
  - (b) on the principles to be followed in making appointments to Civil Services and posts and in making promotions and transfers from one Service to another and on the suitability of candidates for such appointment, promotion or transfers;
  - (c) on all disciplinary matters affecting a person serving under Government of Nepal in a Civil capacity, including memorials or petitions relating to such matters. . . .

Thus it could be said that the provisions of the interim Constitution which remained in force from 1951 to 1959 provided the PSC with sufficient authority to control the Nepalese bureaucracy through its powers over recruitment, promotion, transfer and discipline of the public services in Nepal.

The *Nepal Gazette* of Bhadra 18, 2008 V.S.<sup>32</sup> published the first advertisement of the PSC. This was a new thing in Nepal in the field of recruitment to public service. It also gave a signal that the PSC had started functioning and that a break from the decadent traditional Rana method of recruitment through darshan-bhet had been achieved. As it was something new in Nepal, the PSC advertised the rules and regulations, the “dos” and “don’ts,” the application form, etc., in detail for the candidates for the six posts for graduates in economics, wanted in the customs offices of the valley and the districts and a post of deputy secretary in the ministry

<sup>32</sup>*Nepal Gazette*, 3 September 1951, Bhadra 18, 2008 V.S.

of education.<sup>33</sup> It would be therefore wrong to say that the PSC had not been functioning since 1951.

The first secretary of the PSC, Khadga Man Malla, joined the commission on Bhadra 28, 2008 V.S. (14 September 1951).<sup>34</sup> As he had no experience of the working of the commission he was sent for training for one month to Bihar.<sup>35</sup>

(i) *The Four Important Acts of 2009 V.S.* In 2009 V.S. four important Acts were published to regulate in greater details the working of the Nepal Public Service Commission.<sup>36</sup> They were:

- (1) The Nepal Public Service Commission Regulation Act, 2009 V.S.
- (2) The Nepal Public Service Commission Guidance Act, 2009 V.S.
- (3) The Nepal Public Service Commission (Limitation of Functions) Regulations Act, 2009 V.S.
- (4) The Nepal Public Service Commission (Procedure) Act, 2009 V.S.

These four regulations, guidance, limitation of functions and procedure Acts of 2009 V.S. determined the framework, service conditions, salary, staff, competence, etc. of the Nepal Public Service Commission and hence it is necessary to consider some of their important provisions.

The Nepal Public Service Commission Regulation Act, 2009 V.S., laid down the conditions of service of the members and the staff of the commission. Regarding members, it laid down that their number must not exceed three, besides the chairman. They could draw a salary of Nepalese Rs 1,000 per month. To maintain their impartiality and independence Section 5 (b) laid down: "A person who holds office as a member of the Public Service Commission shall, on the expiry of his term of office, be ineligible for

<sup>33</sup>*Ibid.* Details of these posts appeared in the gazette.

<sup>34</sup>As mentioned in the *Nepal Gazette*, 28 October 1951, Kartik 12, 2008 V.S.

<sup>35</sup>*Buch Committee Report*, para 30, p. 14.

<sup>36</sup>For these four Acts see *Regarding Nepal Public Service Commission*, Kathmandu, Nepal Public Service Commission, 1963. Issued by the PSC, it contains the relevant extracts from the 1951 and 1959 Constitutions regarding the commission, besides the four Acts and the relevant extracts from the Civil Service Act, 1956, the Civil Service Rules, 1956, and the Nepal Police Force Rules, 1959.

reappointment to any other post under Nepal Government.”

Section 6 provided for their dismissal on grounds of “misconduct or gross inefficiency and unfitness”, under the command of the king, “passed on the advice of at least a 2/3rd majority of the Cabinet and with the previous concurrence of the Chief Justice of the *Pradhan Nyayalaya*.”<sup>37</sup> Since there was no parliament the cabinet’s ratification was necessary.

Other sections in the Act laid down reasonable rules regarding leave and pension of the members. Other staff—secretary and other officers and subordinates, could be appointed as follows:

(1) The secretary was to be appointed by the commission with the approval of the king, for a period of three years.<sup>38</sup> His service conditions were to be determined by the Commission with the king’s approval.

(2) The superintendent, assistants, stenographers, typists and clerks were to be appointed by the secretary with the commission’s approval.<sup>39</sup> Their pay and allowances were to be prescribed by the government and the service conditions were to be the same as in corresponding grades in the government.<sup>40</sup>

(3) The inferior staff—daftari, orderly, peon and sweeper were to be appointed by the secretary.<sup>41</sup>

As could be seen, the Regulation Act of 2009 V.S. intended to cushion through its provisions the commission against political pressure.

The Nepal Public Service Commission Guidance Act, 2009 V.S. laid down in details the procedure of the Commission in regard to recruitment and discipline of the bureaucracy. The Act dealt with four types of appointments: (a) by examination; (b) by selection; (c) by promotion; and (d) by transfer.

In the first case, the commission was to conduct examinations, arrange candidates in order of merit on the results, and forward the list so arranged to the government.<sup>41</sup>

<sup>37</sup>Nepal Public Service Commission Regulation Act, 2009 V.S. See Section 6.

<sup>38</sup>*Ibid.*, Sections 12 and 13.

<sup>39</sup>*Ibid.*, Section 15.

<sup>40</sup>*Ibid.*, Section 16.

<sup>41</sup>*Ibid.*, Section 17.

<sup>41</sup>Nepal Public Service Commission Guidance Act, 2009 V.S. Section 2(i) to (v).



In the second case, the commission was to advise the government regarding the rules regulating the qualifications of candidates, announce the vacancies, arrange interviews and in order of preference, forward the list to the government.<sup>42</sup> The government could appoint an officer to represent the service or department for which recruitment was being made at the interview.

In the third case, the commission was to scrutinize the cases of candidates nominated by the government for promotion and advise the government in respect of each such case.<sup>43</sup>

In the fourth case, the commission was to advise the government “in respect of any candidate nominated” for appointment to be made by transfer considering his “character and ability for the Service.”<sup>44</sup>

Section 6 of the Regulation Act laid down: “In any case, in which the advice of the Commission is sought in regard to disciplinary and other orders, appeals and memorials, the record of the case shall be forwarded to the Commission and the opinion given by the Commission shall form part of the record of the case shall be communicated to the officer or officers concerned along with the orders of the authority empowered to pass orders in the case.”<sup>45</sup>

This ensured the commission’s control over the bureaucracy in disciplinary and other matters. The Act also provided for an Adviser<sup>46</sup> who was to “attend all meetings of the Commission and guide the deliberations and proceedings of the Commission,”<sup>47</sup> and was also to “supervise the functions of the Secretary of the Commission and the office.”<sup>48</sup> He was thus to ensure that the commission worked properly.

The Nepal Public Service Commission (Limitation of Functions)

<sup>42</sup>*Ibid.*, Section 2(i) to (iv).

<sup>43</sup>*Ibid.*, Section 4(i) to (iii).

<sup>44</sup>*Ibid.*, Section 5.

<sup>45</sup>*Ibid.*, Section 6.

<sup>46</sup>Govinda Narayan, ICS remained adviser to the PSC during 1951-54. Based on this author’s interview with Govinda Narayan, ICS, presently secretary to the Government of India in the Ministry of Defence. Perhaps, no adviser was later appointed.

<sup>47</sup>Nepal Public Service Commission Guidance Act, 2009 V.S., Section 19.

<sup>48</sup>*Ibid.*, Section 20.

Regulations, 2009 V.S., determined those cases where the commission's advice was not to be taken. Such cases were: (i) the appointment of chief justice and other judges, auditor general, advocate-general, chief election commissioner, election commissioners, etc.; (ii) "officiating appointment," for a period not exceeding six months; (iii) "temporary appointments," in a service where the vacancy was urgent; (iv) re-employment of a retired government servant for a temporary period; (v) political appointments of ambassadors (at Delhi and London), consul-general (at Calcutta), consul (at Rangoon), liaison officer (in Malaya), envoy (at Lhasa) and their staff; and private secretaries to the prime minister and other ministers; and (vi) where "the post may be filled by recruitment from outside Nepal."

We shall see later how Section 3 (1) (d) and (e), which excluded the commission's consultation in the cases of "officiating appointments" and "temporary appointments" and where it was "necessary in public interest that the appointments should be made immediately" because a "reference to the Commission would cause undue delay," was really used by the politicians and in some cases by the king as well during 1951-59, to hire their own men and fire those who were considered politically undesirable. The commission's consultation was also not necessary for "officiating promotions," not exceeding one year and for promotions from lower to a higher grade post or within the same service.<sup>49</sup> In case of transfer, if it was from one post to another in the same service, the commission's consultation was necessary (Section 5).

The Nepal Public Service Commission (Procedure) Act, 2009 V.S., provided for the proper procedure for the working of the commission in its relationship with the various ministries so that its recommendations were honoured by the ministry concerned.

The instructions under this Act were meant for "the guidance and information of all the Ministries of the Government and the Public Service Commission."<sup>50</sup>

<sup>49</sup>Nepal Public Service Commission (Limitation of Functions) Regulations, 1951. See Section 4 (c) and (b).

<sup>50</sup>Nepal Public Service Commission Procedure Act, 2009 V.S. See the preamble.

Some of the important instructions were as follows :

(1) That “all references shall be made direct to the Commission by the Administrative Ministry concerned in the form of an official letter with which all relevant papers”<sup>51</sup> be attached.

(2) That appeals or memorials or cases relating to the rights of service or pension or compassionate allowance of an officer, referred to the commission must be complete with all papers. Disciplinary enquiries also must be thoroughly checked regarding their statutory provision. The ministry must examine such cases only after the case was received back from the commission.<sup>52</sup>

(3) That when the ministry received the recommendations of the commission, before passing orders, it must consult as the case may be, the home ministry or other ministry concerned.

(4) That the commission must be informed of the action taken on its recommendations in all cases.

(5) That “the Government of Nepal have decided that where the Nepal Public Service Commission has been consulted in regard to any appointment, the recommendations made by the Commission should not be departed from unless, in the opinion of the Hon’ble Minister concerned, exceptional circumstances exist which, in the public interest, require such departure . . . .”<sup>53</sup> It was further instructed that in cases where the commission’s recommendations were not accepted by the government, the concerned ministry with “a self-contained summary”<sup>54</sup> of such cases was to approach the home ministry who would refer them to the committee of the cabinet, consisting of the prime minister, the home minister and the minister administratively concerned.<sup>55</sup> It provided that the final orders could be issued by the ministry concerned with the decision reached by this committee. However, the home ministry was to be consulted in all cases where the advice of the commission was not to be accepted. As can be seen, the Procedure Act thus ensured the control of the bureaucracy in general by the Nepal Public Service Commission and in particular by the home ministry in the government.

It will appear from all these four regulation Acts that they made

<sup>51</sup> *Ibid.*, Section 1.

<sup>52</sup> *Ibid.*, Section 2.

<sup>53</sup> *Ibid.*, Section 8.

<sup>54</sup> *Ibid.*

<sup>55</sup> *Ibid.*

it mandatory for the government to consult the commission regarding recruitment, promotion and discipline of the Nepalese bureaucracy in order to ensure its efficiency, integrity, impartiality and stability.

Further, in 1956, the first codified Civil Services Act introduced a formal structuralization of the bureaucracy. The Civil Service Rules, 1956, and the Nepal Administrative Service (Constitution) Rules, 1956, further strengthened the Commission's control over the bureaucracy.

(ii) *The Weaknesses of the Nepal Public Service Commission in Actual Working.*<sup>56</sup> The Nepal Public Service Commission in its actual working suffered from some weaknesses. They may be identified as follows:

First, in its actual membership it consisted of those persons who were trained and oriented in the Rana administration.<sup>57</sup> They obviously could not understand or appreciate the commission's true role in democracy and the bureaucracy. They had also the bad Rana tradition of dependence on the government for orders and decisions. Therefore they seldom worked independently and impartially.

Secondly, the commission's secretary<sup>58</sup> and his staff were also inexperienced in the working of the commission. Actually, they needed proper training and some outside assistance. The Buch Committee had recommended in 1952 the temporary deputation of a secretary to the commission from India. But it appears that no such assistance was taken by the commission.

Thirdly, as the first annual report of the Nepal Public Service Commission, 2017 V.S. pointed out and lamented, the commission

<sup>56</sup>Based on this author's interview with the past and present secretaries of the Nepal PSC and its annual reports.

<sup>57</sup>For example, the first chairman, Sardar Nagendra Man Singh, and subsequent chairmen—Bada Kaji Maniklal Rajbhandari (2010 V.S.), Aniruddha Prasad Singh (2016-17 V.S.), Keshar Bahadur K.C. (2017 V.S.) etc. were seasoned Rana administrators. So were the members Sardar Man Bahadur and Shivendra Vikram Shah, etc. See *Nepal Lok Seva Ayog Ko Pahilo Barshik Report*

<sup>58</sup>The first secretary, K.M. Malla, had no experience of government or commission. The next secretary, B.P. Dhital, had only some experience of government service. When this author interviewed him he was secretary, Law Ministry, HMG Nepal,

suffered from inadequacy of staff for its proper functioning. This point needs better illustration. As Table XX indicates the commission worked with a skeleton staff during 2008-2017 V.S.

TABLE XX  
The Hierarchy and Number of Staff of the Nepal Public Service  
Commission, 2008-2017 V.S.

Sl. no.	Name of post	Total no. 2008-2014 V.S.	Total no. 2015-2016 V.S.	Total no. 2016-2017 V.S.
GAZETTED				
1.	Secretary	1	1	1
2.	Assistant Secretary	—	1	1
3.	Gazetted Officer	1	2	3
4.	Gazetted Officer from Home Ministry	1	3	1
NON-GAZETTED				
5.	Kharidar	—	—	1
6.	Mukhia	2	3	5
7.	Typist	1	2	2
8.	Bahidar	3	5	7
9.	Peon	8	8	8
	Total	17	25	29

Source: Based on *Nepal Lok Seva Ayog Ko Pahilo Barshik Report* (2016 Shraavan 1 Dekhi 2017 Asadh, Masant Samma Ko), Kathmandu, Gorkhapatra Press, Paush 8, 2017 Sal, p. 40.

As Table XX indicates, the number of peons till 2014 V.S. was almost equal to the total gazetted and non-gazetted staff of the commission. Moreover, the total number of gazetted and the non-gazetted staff appears to be very inadequate for the proper functioning of the commission. The gazetted officer in the commission was “a gazetted *Subba* in 2014.”<sup>59</sup> Others were in the rank of section officers appointed in 2016-2017 V.S.

It appears from the commission’s report that almost till 1959 it had inadequate staff.

Walter Fischer truly observed in his report in 1958: “While the work of PSC has increased during the last years by about 300 per

<sup>59</sup>*Nepal Lok Seva Ayog Ko Pahilo Barshik Report*, p. 40.

cent, the staff is still the same as at the beginning of its activity.”<sup>60</sup>

Fourthly, another weakness of the commission was the lack of office accommodation and other physical facilities. In the words of the commission’s first report: “The Commission in 2008 V.S. was housed in four rooms at the Singha Darbar. Later, two rooms were withdrawn. In one room sits the Chairman and the other two members. In another room sits the Secretary with his staff and peons. There is no interview room or waiting room for the candidates. The candidates sit outside in open verandah, in sun and rain. . . .”<sup>61</sup> It also reported that “because of inadequate furniture it becomes difficult to do the work of promotion etc.”<sup>62</sup> and other work of the commission. According to its report, the commission had “only one toilet which is used by the officers, clerks and peons as well as the candidates. It is stinking.” The commission complained: “The Commission is writing to the Government since 2015 V.S. for more rooms and accommodation and for toilet and water and still it is writing, with no effect.”<sup>63</sup>

Though just a physical drawback it seems that it must have definitely impaired the efficiency of the commission. It also showed the government’s neglect of this statutory body during these years.

Fifthly, the commission suffered from a serious handicap as it held examinations for the gazetted posts only at Kathmandu and thus it gave pre-eminence and greater weightage to the valley people in the bureaucracy at the cost of tarai and pahad people. Only clerical post examinations were held in the tarai and pahad districts under the supervision of the bada hakims of the areas. Thus, it may be argued that the Commission failed to guarantee equality in recruitment through examinations in all parts of the country.

Sixthly, a serious complaint of the government departments and the ministries was that the commission worked too slowly and in too complicated a way. Hence, sometimes the ministries had to make appointments and promotions without waiting for the commission’s participation or decision. It is needless to emphasize why

<sup>60</sup>W. Fischer, *Personnel Administration in Nepal*, typescript, Kathmandu, 1958, para 17, p. 4.

<sup>61</sup>*Nepal Lok Seva Ayog Ko Pahilo Barshik Report*, p. 2.

<sup>62</sup>*Ibid.*

<sup>63</sup>*Ibid.*

the delay was caused. It just exhibited government apathy for the commission.

It appears that during the period the commission had been active only in the following respects; announcing the number of the vacancies to be filled in from among the candidates who had qualified in the examinations, making arrangements for the actual conduct of examinations, arranging candidates in order of merit, and recommending them to the government.

In 1958, Walter Fischer reported about the working of the various ministries and departments in the Singha Darbar. He wrote: "My observations in the different Ministries and Departments have shown that some of the mentioned acts, rules and regulations *have still not been put* into practice."<sup>64</sup>

Perhaps it was so also because, according to Fischer, "some of the acts and rules are in certain parts unclear and lead to misunderstandings."<sup>65</sup>

The ministries and departments, it could be said, having no healthy democratic tradition, always felt tempted to bypass the commission on the pretext of urgency and public interest in cases of appointments, promotions, transfers and disciplinary matters. To illustrate the point we may cite examples of the reorganization of district bureaucracy in August 1955 and the central departments in October 1955. We have seen how the royal advisory regime dismissed 16 bada hakims on 23 August 1955. They were mostly replaced by Shahs and Ranas. The commission was not consulted. We have also seen in the preceding chapter that an entirely new set of departmental secretaries was announced on 14 October 1955 and a new post of chief secretary was created. Again, all these appointments were made without consulting the commission. When the government was assailed for this irregularity, the king replaced the whole personnel of the commission.

In 1957, when the results of the two screening committees set up by T.P. Acharya were ready, the Acharya government was dismissed and, strangely enough, the officials who had failed were retained and even promoted and some who had passed the tests were dismissed. The commission was again not consulted.

<sup>64</sup>Fischer, *op. cit.*

<sup>65</sup>*Ibid.*

We have seen how K.I. Singh had to quit the government after 111 days. One of the reasons as he stated was that he had requested the king to allow him to dismiss some senior officials in his list. The king hesitated. Of course K.I. Singh himself had also very much ignored the commission.

From 1955 to 1959 frequent screening tests and screening committees and frequent reorganisation of the civil service at the central and district levels had greatly demoralized the bureaucracy and had made the commission less useful and less effective. This was during Mahendra's first four-year (1955-59) rule.

During 1951-55, appointments were however made at all levels of the civil service, with usual, if not invariable, consultation of the commission's chairman or his nominee.

(b) *The Nepal Public Service Commission, 1959-60.* The 1959 Constitution was drafted by a commission headed by Bhagwati Prasad Singh who was then chairman of the Nepal Public Service Commission. And yet the new Constitution had two objectionable clauses which made an inroad on the democratic theory of the PSC. These clauses were:

(1) Article 59 (3) which stated: "His Majesty shall appoint the members of the Public Service Commission."

The phrase "on the advice of his Ministers" in Article 38 of the 1951 Constitution was thus deleted, with a view perhaps to extend royal authority over the public services.

(2) Article 60 (5) provided for the delegation of the commission's function to any government servant, with the previous consent of the king. However, in case of such delegation, appeal therefrom lay with the commission whose decision was made final.

But some new clauses marked an improvement over the previous ones—Article 59 (5) fixed the tenure of the member of the commission for five years "from the date of his appointment;" Article 60 (4) stated: "It shall be the duty of the Public Service Commission to present annually to His Majesty a report on the work done by the Commission."

Such report, with a government memorandum explaining why in some cases the advice of the commission was not accepted, was to be laid before parliament every year.

We have referred earlier to the first report of the commission



which was published in 2017 V.S.<sup>66</sup> This report may be considered to be a great achievement of the Koirala government.

In accordance with the provisions of Section 3 of the Civil Service Act, 1956, and the Nepal Administrative Service Formation Rules, 1956, the Koirala government had appointed in July 1959, 11 secretaries in the various departments on a probation of one year<sup>67</sup> in *vishista shreni* (special class) in NAS. Sobhag Jang Thapa was appointed cabinet secretary.<sup>68</sup> Not only that the commission was consulted, but these secretaries and other appointments of gazetted officers in the NAS on 22 August 1956 were made on permanent basis.<sup>69</sup> So they were put on probation. On 23 August 1960 some 53 high officers were confirmed in the NAS with the commission's advice.<sup>70</sup>

But the Koirala government was criticized for publishing a list of new bada hakims in its "Reorganization of Bada Hakims"<sup>71</sup> scheme "made on the back of the Public Service Commission."<sup>72</sup> This definitely undermined the commission's authority and prestige. Moreover, as it was alleged, it had the stink of "Congressization"<sup>73</sup> of the district bureaucracy.

Otherwise, the Public Service Commission was given good status and independence, under the new government. The names of new employees appointed in May 1960 were also referred to the Commission.<sup>74</sup> Moreover, in the screening committees and promotion boards of the Koirala government, the chairman of the commission or his nominee representing the commission was also associated.<sup>75</sup>

The commission during 2016-2017 V.S. received three cases of civil servants for disciplinary action as Table XXI indicates.

As the commission's report indicates in all these cases the com-

<sup>66</sup>*Nepal Lok Seva Ayog Ko Pahilo Barshik Report.*

<sup>67</sup>See the order of Prem Narsingh Pradhan, secretary, home affairs, HMG Nepal, in *Nepal Gazette*, 28 September 1959, Aswin 12, 2016 V.S.

<sup>68</sup>See Gazette Notification, 27 July 1959.

<sup>69</sup>Official Press Note, Kathmandu, 22 August 1959.

<sup>70</sup>*Nepal Gazette*, 23 August 1960.

<sup>71</sup>*Gorkhapatra*, 22 November 1959.

<sup>72</sup>*Samaj*, 23 November 1959.

<sup>73</sup>*Halkhabar*, 25 November 1959.

<sup>74</sup>*Nepal Samachar*, 1 June 1960.

<sup>75</sup>*Nepal Lok Seva Ayog Ko Pahilo Barshik Report*, p. 11.

mission's recommendations regarding punishment to the civil servants were accepted by the government.

TABLE XXI  
Cases of Civil Servants referred to PSC for Disciplinary Action,  
2016-2017 V.S.

<i>Sl. no.</i>	<i>Nature of the post held</i>	<i>Case referred to PSC by the department</i>
1.	Hakim of mal adda	Ministry of Finance, AG Office
2.	Hakim, subba, taharir and kharidar of mal adda	Ministry of Finance
3.	Hakim of adalat	Special Police Department

*Source: Nepal Lok Seva Ayog Ko Pahilo Barshik Report, 2016 Shrawan 1 Dekhi 2017 Asadh Masant Samma Ko, Kathmandu, Gorkhapatra Press, Paush 8, 2017 Sal, pp. 86-87.*

As the PSC report indicates, it recommended for appointment, on the basis of competitive examination results for the following number of posts<sup>76</sup>:

Gazetted	7
Non-gazetted	360
Total	367

For promotion the PSC recommended the following number<sup>77</sup>:

Gazetted	5
Non-gazetted	113
Total	118

For dismissal the PSC recommended 33 civil servants out of 76 cases referred to it by the government as follows<sup>78</sup>:

Gazetted	1
Non-gazetted	32
Total	33

The report also indicates that the PSC, during the period, condu-

<sup>76</sup>*Ibid.*, p. 3.

<sup>77</sup>*Ibid.*

<sup>78</sup>*Ibid.*

cted examinations for gazetted officers in grade III<sup>79</sup> in view of the Koirala government's policy to appoint all new civil servants first in this grade as section officers and then give them gradual promotion to grades II and I and then special grade.

Table XXII indicates that under the Koirala government the total number of PSC staff also increased from 29 to 35.

TABLE XXII  
Hierarchy and Number of the Officials of the Nepal Public Service Commission as on the eve of the Royal Coup in December 1960

Sl. no.	Name of the post	Nature of the post	Total no.
1.	Secretary	Gazetted	1
2.	Deputy secretary		2
3.	Assistant secretary		—
4.	Section officer		3
5.	Supervisor/naib subba	Non-gazetted	2
6.	Kharidar		6
7.	Mukhia		3
8.	Typist		—
9.	Bahidar-cum-Typist		10
10.	Peon		8
Total			35

Source: Based on *Nepal Lok Seva Ayog Ko Dosro Barshik Report*, 2018 V.S., HMG Nepal, Nepal Public Service Commission, Magh 19, 2018 V.S., p. 37.

The table further indicates that under the Koirala government, owing to increased office work, ten bahidar-cum-typists were appointed; and new posts of two deputy secretaries and three section officers were created for the proper working of the commission.

Moreover, according to the PSC report,<sup>80</sup> the budget of the commission was also increased from about Nepali Rs 82,910 to about Nepali Rs 1,31,528.

In view of the above facts and figures, it may not be unreasonable to conclude that under the first elected government, the Nepal Public Service Commission was more consulted and better staffed

<sup>79</sup>*Ibid.*, pp. 4-5.

<sup>80</sup>*Ibid.*, pp. 2-3.

than before, and was provided with more resources to exercise better control over the recruitment, promotion and discipline of the bureaucracy in Nepal.

#### PERSONNEL ADMINISTRATION

Prior to 1951, under the Ranas, the personnel, with no proper system, was in a chaotic and feudal state, "only catering to the maintenance of law and order much in subservience to the self-interest of the then ruling class."<sup>81</sup> There was no bureaucracy as such.

In 1951, all personnel functions came under the ministry of home affairs, with the Public Service Commission, as an examining, certifying and controlling agency. Throughout 1951-60 Nepal had no staff association. So the dissatisfaction among the employees could not be conveyed to the government. The personnel administration suffered from this weakness and it still suffers.

In view of the facts mentioned earlier, we may say that from 1951 to 1959 the bureaucracy was more under political pressure and palace control, and from 1959 to 1960 under ministerial and PSC control.

In fact, a legal framework for a democratic, sound and stable personnel administration in Nepal was laid down in 1956 with the inauguration of the Acharya government and the setting up in July that year of the ARPC. The most important step in the field of personnel administration was the enactment of the Civil Service Act in September 1956. The Act included provisions for the constitution of the civil service, appointments, tenure of service, protection of civil servants against arbitrary removal or reduction in rank, recruitment and conditions of service, principles regulating transfers and promotions, repeal, immunity of the civil servants, etc. The purpose of the Civil Service Act, as its preamble stated, was "to make arrangement for the formation and administration of the Civil Services of Nepal."<sup>82</sup>

Some of the important features of the Civil Service Act deserve our attention.

<sup>81</sup>*Civil Service Journal of Nepal*, Kathmandu, Nepal Public Service Commission, July 1966, Vol. I, No. 1, p. 1.

<sup>82</sup>See preamble, *Nizamati Seya Aijn*, 2013 V.S.

(1) It provided for the formation of the advisory boards to judge individuals as fit or unfit for appointment in the civil service.

(2) Regarding appointment, section 4 provided that in respect of gazetted posts, the government, and for non-gazetted, the persons authorized by the government, shall be responsible.

(3) Section 6 (i) stated: "No civil employee shall be dismissed, nor shall his rank or salary be reduced, unless necessary opportunity is provided to him to furnish evidence in his defence." Thus, the civil servant was provided security and protected from arbitrary dismissal or demotion.

(4) Dismissal or departmental punishment could be effected "on being proved guilty of criminal offence involving moral turpitude," [Section 6 (a) (i)], or it could be effected on the basis of an unfavourable departmental report.

(5) It provided in detail the procedure to be followed in case of a departmental inquiry [Section 6 (2)].

(6) Promotion, based on "seniority among able civil employees," was also provided [Section 8 (2)].

(7) A gazetted officer, who was removed from service in an irregular manner, could file a complaint in the supreme court. "The decision made in this respect by the Supreme Court shall be final" [Section 9 (1)]. A non-gazetted employee could appeal against improper removal to "the authority prescribed in accordance with the rules framed under this Act" [Section 9 (2)].

(8) The Act protected civil servants from being unnecessarily persecuted by a member of the public. Section 10 (1) stated: "No suit can be instituted against any civil employee in respect to any official action taken by him in course of the fulfilment of his duties. . . ."

(9) The Act further granted immunity to civil servants by providing that "no suit can be instituted against any civil employee after the termination of his service in respect to action taken by him in course of the fulfilment of his official duties while in service" [Section 10 (3)].

In view of these features of the Civil Service Act, 1956, we may easily say that it constitutes a landmark in the history of personnel administration in Nepal. It made sufficient provisions for the emergence of a career bureaucracy based on merit.

In exercise of the provisions conferred by Sections 4 and 7 of the

Civil Service Act, 1956, the government also framed the Civil Service Rules, 1956,<sup>83</sup> to which a few amendments were made in 1957.<sup>84</sup> The Civil Service Rules, 1956, contained specific provisions regarding the authorities competent to make appointments to government service; the role of the Nepal Public Service Commission; the nature of officiating appointments in central and district governments; the tenure of service of civil servants; transfer and promotion; nature and kind of leave; classification and compensation; retirement, gratuity and pension; conduct and discipline; punishment and appeal, etc.

Later, in 1956, the formation and publication of the Nepal Administrative Services (Constitution) Rules<sup>85</sup> marked another improvement in personnel administration. In accordance with these rules an advisory board consisting of the prime minister, the finance minister, the defence minister and the chairman of the PSC<sup>86</sup> was set up to advise the government regarding recruitment to the selection grade.

Another advisory committee headed by the external affairs minister, was set up for recruitment of other classes of gazetted officers.<sup>87</sup> The committee prepared a list of persons recommended for such appointment. But as we have seen until 1958 the results were not announced because of political reasons.

On 18 February 1957 the Nepal Administrative Service Division of Grades, Appointments and Pay Rules<sup>88</sup> were prepared and the Nepalese bureaucracy was classified into four grades (*shreni*)—*vishista* (special); *ka* (A); *kha* (B); and *ga* (C). It was decided that the first recruitment would be in *ga* or grade III in the gazetted rank. Other ranks could be reached by promotion only. It was also decided that in the gazetted rank 50 per cent would come through open competition and the remaining 50 per cent through promotion from non-gazetted ranks. This arrangement continues even today.

When the six technical services were constituted after six months, technical service rules were also passed for such personnel.

In short, in accordance with the Nepal Civil Service Act and

<sup>83</sup>*Nizamati Sewa Niamawali*, 2013 V.S.

<sup>84</sup>*Nizamati Seva Samsodhan Niamawali*, 2014 V.S.

<sup>85</sup>*Nepal Gazette*, 8 October 1956.

<sup>86</sup>Fischer, *op. cit.*, para 10, p. 3.

<sup>87</sup>*Ibid.*

<sup>88</sup>*Ibid.*, para 11, p. 3.

various rules framed thereunder, various types of civil services were constituted on a functional basis during 1956 to 1960.

During 1959-60, for the developmental administration, were recruited DDOs, BDOs, panchayat officers and panchayat supervisors, etc. outside the regular bureaucracy.

The ministry of home along with the O & M office and the PSC administered the civil services in Nepal. The O & M office was set up in July 1956 in the ministry of finance. In September 1958 it was moved to the home ministry. It continued till December 1960 as "a successful Management Improvement Agency."<sup>89</sup> It directed the government's attentions towards the modernization goals in administration.

The manual on personnel administration,<sup>90</sup> compiling all the existing laws on different personnel matters to make them available for ready reference in all the offices as well as for the benefit of all civil servants, marked another landmark in personnel administration in Nepal. It also helped in removing the vagueness and difficulty in the interpretation of the various civil service laws. The manual, published in 1958 by the Institute of Public Administration,<sup>91</sup> referred to some important aspects of the personnel administration to which a brief reference seems necessary.

First, it referred to the rules regarding free and fair recruitment. Recruitment to permanent higher posts was provided only through the agency of the Public Service Commission. But the PSC was not to be consulted for posts carrying less than a yearly salary of Rs 400; for temporary appointments and the temporarily appointed; for immediately needed appointment in a permanent post (but not exceeding six months). In case of open appointments through examinations the PSC and for selection appointments, a board having

<sup>89</sup>Merrill R. Goodall, *Development of Public Administration in Nepal: Final Report to the Government of Nepal*, UNTAP, March 1962 to August 1963, (cyclostyled), pp. 11-14. It was made available to this author by the Director, UN Centre and UNDP at Kathmandu. Hereafter cited as Goodall's Report.

<sup>90</sup>Manual on personnel administration prepared by the seminar of personnel administration, Singha Darbar, Kathmandu, Institute of Public Administration, October 1958, typed pp 1-40, made available to this author by PAD, HMG Nepal at Kathmandu.

<sup>91</sup>For the Institute of Public Administration see "Report Regarding an Institute of Public Administration in Nepal," *Phillipine Journal of Public Administration*, Manila, April 1958, Vol. II, No. 1, pp. 143-147.

representatives of the PSC and the department or services were authorized to make recruitment to the Nepalese bureaucracy. The minimum age for officers to join service was fixed at 21 years and for clerks, etc. at 16 years. Persons who completed 35 years were debarred from joining the civil service.

For the first time since 1951 the manual dispelled the vagueness about "officiating appointments" and quoted rules regarding the authorities empowered to make such appointments in selection grade posts and posts of bada hakims in the districts; departmental heads, etc.; office heads, etc.; other posts than office heads; and posts towards the judicial side.<sup>92</sup>

Table XXIII will make the situation clear.

**TABLE XXIII**  
Nature of and the Authorities empowered to make officiating appointments in Government Service

<i>Sl. no.</i>	<i>Nature of the officiating appointments</i>	<i>Nature of the authorities empowered to make officiating appointments</i>
1.	Selection grade posts, posts of bada hakims in the districts, and magistrates in the valley	HMG
2.	Officers in ministries and departmental heads	Secretary in the ministry
3.	Posts other than departmental heads and office heads	Departmental head
4.	Posts other than office heads	Office head
5.	Posts of registrar and assistant registrar in the supreme court, district judges and ilaka judges	Chief justice of the supreme court

*Source:* Manual on personnel administration prepared by the seminar of personnel administration, Singha Darbar, Kathmandu, Institute of Public Administration, October 1958, typed pp. 1-40, Section 2A:3.

The manual also referred to promotion policy. The principle followed according to the Civil Service Act and Rules was that of seniority-cum-merit.<sup>93</sup> The agency to recommend promotion was a

<sup>92</sup>Manual on personnel administration, Section 2A:3,

<sup>93</sup>*Nizamati Seva Ain*, V.S., 2013 Section 7,



promotion committee<sup>94</sup> for gazetted posts having:

(1) Chairman of the PSC or his nominee	Chairman	: 1
(2) Secretary of the concerned ministry	Member	: 1
(3) Three other secretaries of HMG, nominated by HMG	Member	: 3
	Total	5

For non-gazetted posts, the promotion could be recommended by a departmental promotion committee. A gazette notification of Magh 29, 2013 V.S. announced the appointment of three such departmental committees, separately constituted for the central secretariat; Kathmandu valley; and mofussil areas to recommend promotion cases, as follows<sup>95</sup>:

*A. For the Central Secretariat*

A member of PSC	Chairman	: 1
Departmental secretary	Member	: 1
Deputy secretary or assistant secretary nominated by the concerned minister	Member	: 1
	Total	3

*B. For the Kathmandu Valley*

A member of PSC	Chairman	: 1
The secretary or deputy secretary of concerned ministry	Member	: 1
Departmental head	Member	: 1
	Total	3

*C. For the Mofussil Area (Districts outside the Valley)*

Bada hakim	Chairman	: 1
Hakim of the concerned adda	Member	: 1
In case of other adda the assistant hakim of the goswara and in case of goswara the mal hakim	Member	: 1
	Total	3

<sup>94</sup>Nizamati Seva Niamawali, Section 3.

<sup>95</sup>Nepal Gazette, Magh 29, 2013 V.S.

Thus, the Acharya government set up three-man promotion committees at the three levels to deal with all promotion cases. It may be seen here that in the district promotion committee unfortunately the PSC had no nominee. The reason might be that the PSC had not extended its activities beyond the valley till then.

The manual also referred significantly to a new transfer policy which could give good job satisfaction to government employees. In 1956 the civil service rules laid down a definite transfer policy. Two types of transfer were envisaged—transfer within the same services; transfer between services. In the former case, consultation with the PSC was not necessary. In the latter, the PSC was to be consulted. Usually, a term of three years for gazetted officers and five years for non-gazetted employees up to the rank of kharidar or taharir or equivalent rank was laid down for transfer.

But as Walter Fischer reported in 1958: "I found that some civil servants are transferred too frequently. They know everything and they know nothing because they never get a chance to get really acquainted with their work. . . ." <sup>96</sup>

Too frequent transfers caused inconvenience to the civil servants, as usually they had large families (a feature of all traditional societies), while the government provided them with no houses or separation allowance.

The manual also referred to salaries which since 1951 had been revised and raised five times higher than what they were under the Ranas. But these salaries still needed revision to keep pace with the living costs, so that the employees might not be tempted to be corrupt. But no attempt was made to further increase their salaries.

As Walter Fischer reported: "Corruption is not unknown and has made it necessary to introduce a special 'Anti-Corruption Branch'." <sup>97</sup>

The pay scales and time scales as published in the *Nepal Gazette* dated Asadh 3, 2009 V.S. are given in Table XXIV to show how poor the scale was with a very low rate of step increment. These scales were approved by the Public Service Commission.

Besides these pay scales dearness allowance on monthly basis was also announced by the government.

<sup>96</sup>Fischer, *op. cit.*, para 34, p. 10.

<sup>97</sup>*Ibid.*, para 37, p. 11.

TABLE XXIV  
Pay-scales of the Gazetted and Non-gazetted Government Employees  
as on Asadh 3, 2009 V.S.

<i>Sl. no.</i>	<i>Name of the post</i>	<i>Nature of the post</i>	<i>Pay scale in Nepalese currency per month</i>	<i>Time scale</i>
1.	Special Class Officer	Gazetted	Rs 450-900	15 yr. scale
2.	First Class Officer		Rs 300-600	20 yr. scale
3.	Second Class Officer		Rs 180-360	20 yr. scale
4.	Naib Subba	Non-gazetted	Rs 120-240	20 yr. scale
5.	Kharidar		Rs 70-130	20 yr. scale
6.	Clerk Senior		Rs 50-90	20 yr. scale
7.	Clerk Junior		Rs 35-60	20 yr. scale
8.	Peon		Rs 22-27	20 yr. scale

*Source:* Based on *Nepal Gazette*, Asadh 3, 2009 V.S.

During 1959-60, the Koirala government announced new and better pay scales, "with a view to make the administration more

TABLE XXV  
New Pay-scales of Technical and Non-technical Personnel as on  
March 15, 1960

<i>Sl no.</i>	<i>Name of the post</i>	<i>Nature of the post</i>	<i>Pay scale in Nepalese currency</i>	<i>Type of personnel</i>
1.	First class	Gazetted	700-1200	Administrative Law and Foreign Service (non-technical personnel)
2.	Second class		450-750	
3.	Third class		275-480	
4.	Naib subba	Non-gazetted	175-300	
5.	Kharidar/ditha		120-200	
6.	Mukhia		75-125	
7.	Bahidar		55-85	
8.	Peon/orderlies		45-70	
9.	First class	Gazetted	700-1200	Technical personnel
10.	Second class		500-850	
11.	Third class		350-625	
12.	First class	Non-gazetted	200-375	
13.	Second class		125-235	
14.	Third class		80-150	
15.	Fourth class		60-105	

*Source:* Based on Official Press Note, HMG Nepal, 15 March 1960.

efficient for the benefit of the people.”<sup>98</sup>

The manual also referred to other conditions of service such as leave, punishment, appeal, staff association, retirement, pension, etc.

The Civil Service Rules, 1956, provided for five kinds of leave: casual; home; sick; study; and extraordinary.

A special leave *satta vida* (exchange leave) could also be given to the civil servants in services like trolley, railway, electricity, hospital, telephone, fire, mint, etc.

A code of conduct for the personnel was also drafted for better personnel administration, ensuring integrity, discipline and political neutrality in the services.

Retirement age was fixed at 63 years.<sup>99</sup> Gazetted officers could retire after completion of 35 years of service. The rules also provided for gratuity<sup>100</sup> and pension.<sup>101</sup>

The seminar on personnel administration<sup>102</sup> discussed the question of setting up a pension fund for civil servants. But it was presumably never set up.<sup>103</sup>

It is unfortunate that the staff association, which has become an important factor of public personnel administration in any country as it provides a forum to ameliorate the working conditions and position of employees, could never be set up in Nepal. As early as 5 December 1952 deliberations were held in a meeting of King Tribhuvan and his royal counsellors on the proposal made by some civil servant for the permission to start a Nepal economic association.<sup>104</sup> In that meeting it was decided that no association could be formed by civil servants.<sup>105</sup>

The Civil Service Rules, 1956, prohibited the formation of a

<sup>98</sup>Official Press Note, HMG Nepal, 15 March 1960. See the *Commoner*, 15 March 1960

<sup>99</sup>*Nizamati Seva Niamawali* 2013 V.S., Section 7.1.

<sup>100</sup>*Ibid.*, Section 7.3.

<sup>101</sup>*Ibid.*, Section 7.4. Those civil servants who completed 25 years could get pensions. But the pension amount could not exceed Rs 300 per month in any case.

<sup>102</sup>This seminar was held at the Singha Darbar, Kathmandu, from May to October 1958.

<sup>103</sup>Fischer, *op. cit.*, para 46, p. 13.

<sup>104</sup>*Nepal Gazette*, 29 December 1952, Paush 15, 2009 V.S.

<sup>105</sup>*Ibid.*

staff association and also the employees' right to strike.

Walter Fischer reported: "Under the present circumstances no Civil Servant will take the risk of starting a staff association. The Government could show its good intentions to democratize the administration by encouraging and supporting the founding of a staff association."<sup>106</sup>

However, during Koirala's regime also, staff association remained a distant dream.

It is commendable that for efficiency rating of civil servants, a system of six-monthly confidential reports was introduced during this period.

The civil service rules also required the authority that made appointments to prepare two copies of "sheet roll" of each civil servant. One such copy was to be despatched to the central personnel registration office (still called kitab khana) at Kathmandu.

From the above discussion recruitment, promotion, transfer, pay, leave, conduct, punishment, appeal, pension, gratuity, retirement of civil servants in Nepal, it may be concluded that the framework for a modern bureaucratic administration was evolved in Nepal during 1951-60. The landmark in the period was of course 1956, when the Civil Service Act and Rules were passed.

The exact personnel statistics are unfortunately not available. But according to one reliable source,<sup>107</sup> in 1958 civil servants registered at the central personnel registration office (kitab khana) were 23,774. the break-up was:

In Kathmandu valley	12,295
In tarai districts	6,552
In hill districts	4,927
Total	23,774

Besides them, other civil servants who were not registered were 1,357. Police personnel constituted a total of 8,325. Thus, the total personnel statistics were:<sup>108</sup>

<sup>106</sup>Fischer, *op. cit.*, para 47, p. 13.

<sup>107</sup>*Ibid.*, para 21, p. 6. The statistics is based on Fischer's report.

<sup>108</sup>*Ibid.*

Registered personnel	23,774
Unregistered personnel	1,357
Police personnel	8,325
Total	33,456

It would have been useful to compare this figure with the figure in 1960 because the developmental personnel was also added to administration and bureaucracy had expanded since 1958 due to the entry of the government in the field of public corporations and other economic and social activities. Unfortunately, the personnel statistics of 1959-60 are not available. But it is certain that the bureaucracy expanded manifold during 1951-60. Table XXVI gives an idea of the growth of bureaucracy in Nepal during 1952-59.

TABLE XXVI  
Growth of Bureaucracy in Nepal, 1952-59

<i>Sl. no.</i>	<i>Fiscal year</i>	<i>Total number of civil servants</i>
1.	1952-53	18,853
2.	1953-54	19,600
3.	1954-55	26,208
4.	1955-56	29,261
5.	1956-57	29,447
6.	1957-58	29,629
7.	1958-59	31,104

*Source:* Based on figures supplied by Nand Lal Joshi, special secretary, Prashasakiya Vyavastha Vibhag, HMG Nepal, and records in kitab khana, Kathmandu.

Thus, the total strength of civil servants increased from 18,853 to 31,104 within seven years. Under the Koirala government it must have increased more because of increased governmental activities on the central, development and panchayat sides, reflecting the new national and democratic aspirations of the first elected government of Nepal.

Table XXVII gives an idea of the hierarchy and strength of the civil servants in Kathmandu and areas outside Kathmandu for the year 1958-59.

TABLE XXVII  
Break-down of the figures of Civil Servants in Kathmandu and  
Outside Kathmandu, 1958-59

Sl. no.	Area	Officers	Clerks	Peons	Total
1.	Kathmandu	740	5,168	8,526	14,434
2.	Outside				
	Kathmandu	261	4,233	12,176	16,670
	Total	1,001	9,401	20,702	31,104

*Source:* Based on figures supplied by Nand Lal Joshi, special secretary, Prashasakiya Vyavastha Vibhag, HMG Nepal, and records in kitab khana, Kathmandu.

Table XXVII significantly proves the centrality of Kathmandu in the administrative system of Nepal even during the post-revolutionary period. While the total number of officers outside Kathmandu was only 261, in Kathmandu alone it was 740. Unfortunately, we have no personnel statistics available for 1959-60 for Kathmandu and outside Kathmandu areas.

However, it could be safely said that during a decade since the democratic forces brought about change in the country in 1950-51, bureaucracy grew manifold in Nepal and it was encouraged to play a new role in a democratic administration.

#### THE INSTITUTE OF PUBLIC ADMINISTRATION

It may be said that it is essential to attune a civil servant to the task he is called upon to perform in a changing world. He is in fact a specialist who adopts the profession as a career. There cannot be efficient performance in the career without his proper training. Training has therefore been considered as the keystone of state efficiency.

Till February 1958, unfortunately, Nepal had no proper training centre for its civil servants. It appears from a gazette notification of 19 May 1958<sup>108</sup> that some skeleton administrative training centre perhaps existed in the government, to which Naib Subba Pratap Man Sakya was appointed as executive officer (gazetted). No information beyond this is available about this centre.

<sup>108</sup>Nepal Gazette, 19 May 1958, Jestha 6, 2015 V. S.

For the first time, the attention of the ARPC was drawn to the problem of training the bureaucracy in modern administration. On 21 March 1957 the ARPC recommended the setting up of the Institute of Public Administration, essentially as an in-service training institute for all levels of public employees.

This was done so by the king on 18 February 1959. Both the O & M office and the Institute of Public Administration continued till December 1960 as management-improvement agencies, directing the government's attention towards modernization goals. The very capable director of the O & M office was made deputy director of the Institute.

In December 1960 after the royal takeover, the Institute of Public Administration lost its separate identity and was dropped. It was combined with the O & M office. Together they were now known formally in 1961, as Goodall tells us, the "Public Administration Board."<sup>109</sup> After seven months it was renamed the "Public Administration Department" (PAD),<sup>110</sup> with the same main function of management-improvement.

Actually, a special seven-man committee with six experts from IAM, USOM and UN and one Nepalese as the chairman had submitted the proposal for the setting up of the Institute of Public Administration as early as March 1957. But the ARPC's high level indigenous support did not last long. Therefore, the institute could be set up only in 1959.

The name "Institute of Public Administration" was somewhat misleading as the proposal really was an in-service training scheme and was based on the identification of the following training needs:

- (a) A need for a general knowledge of Public Administration for the higher executives and prospective executives.
- (b) A need for training of supervisors on medium and lower levels in elementary rules in supervising.
- (c) A need for functional training:
  - (i) For executive supervising such functions for instance,

<sup>109</sup>M.R. Goodall, Report on Administration in Nepal to the Prime Minister, 1952, typescript, UN, Kathmandu, p. 13.

<sup>110</sup>B.P. Shrestha, *The Economy of Nepal*, 1967, Bombay, p. 34.



budgeting, accounting, auditing, revenue collection, procurements etc.

(ii) For clerks actually doing the work.

(d) A need for training in secretarial activities, such as typing, shorthand, filing, how to become a good secretary, etc.<sup>111</sup>

The institute in the first year of its existence organized courses for over 500 civil servants.

Six functional seminars for top officials with an average grade of deputy secretary conducted by UN experts covered the fields of economic planning; public administration; public finance; and accounting and auditing.

These seminars fulfilled the important purpose of introducing, discussing and clarifying the various subjects with the top officials responsible for the various functions.

A course for directors and some assistant directors was also organized with the help of the director of the village development department, an expert in multipurpose programmes from USOM and an expert in multipurpose programmes from IAM.

Besides being a training course, it helped in creating a better understanding of the village development programmes and the technical directors and their extension workers' role and relationship with this programme.

The Institute of Public Administration thus helped in clarifying properly the responsibility and functions on the various organizational levels as well as the close coordination of both planning and executive activities at the district level.

Some programme for the newly recruited DDOs under the bada hakims during the first elected government of B.P.Koirala was also organized by the Institute.

It was quite an encouraging achievement by the institute when by 31 August 1959 it had trained a number of the Nepalese personnel as shown in Table XXVIII.

The Institute gave training to about 500 civil servants in the use of the secretariat manual. It functioned through Nepali and foreign

<sup>111</sup>For details see "Report Regarding an Institute of Public Administration in Nepal by the Ad hoc Advisory Committee in Nepal," *Phillipine Journal of Public Administration*, Vol. II, No. 2, p. 143.

lecturers and instructors. But owing to lack of funds and competent instructors many essential programmes could not be taken up by the institute.<sup>112</sup>

TABLE XXVIII  
Training of Personnel at the Institute of Public Administration  
up to August 1959

<i>Sl. no.</i>	<i>Description</i>	<i>Total</i>
1.	Job instruction	407
2.	Job methods	208
3.	Job relations	119
	Total	734

*Source:* Based on Report on Public Administration in Nepal, Kathmandu, 1959, typed, p. 22.

From the above facts and figures it follows that till its existence in 1960, the Institute of Public Administration organized well, with all limitations, the internal education and training of the civil servants of Nepal for their careers in administration.

#### THE BUREAUCRACY—ITS STRENGTH AND WEAKNESS

Though under the Ranas all reforms of administration were thought undesirable and a modern bureaucracy unthinkable and impossible, slowly but surely, during 1951-60, bureaucracy evolved and developed in ministerial and parliamentary democracy in Nepal.

Bureaucratic authority was set up and bureaucratic structure organized. With the development of the bureaucracy, various Acts and rules were passed to determine differentiation of functions, qualifications for office, hierarchical organization and discipline, objectivity of method, precision, consistency and continuity, organization and methods involving adherence to rules, "red tape," record-keeping, modern office management, etc. The 1950-51 revolution did provide the necessary climate for the development of merit-bureaucracy in Nepal. And so did the 1959 general elections. Reforms

<sup>112</sup>Interview with Mangal Krishna Shrestha, under secretary, PAD, HMG Nepal.

were effected during 1951-59 and 1959-60 periods to strengthen the bureaucracy to reflect "the national aspirations of the people."<sup>113</sup>

But a country emerging from a decadent feudalism with an unhealthy administrative philosophy, traditions and practices to the modern world posed a natural threat to the emergence of a merit-bureaucracy. Those who mattered in politics offered opposition and denunciation to the bureaucracy and tried to defeat the good intentions of the government.

During 1959-60, these vested interests, as we shall examine in the following pages, indulged in oppositional politics against welfare policies of the first elected government of B.P. Koirala. They created tensions between the cabinet and the Singha Darbar on the one hand, and the king and the palace secretariat at the Narayanhiti Darbar on the other. Siding with the forces of reaction and attacking the modern public administration in a welfare state, they ultimately forced a royal coup in December 1960, which, it may be said, put the clock back. Thus, the democratic administration which was developing slowly and a modern merit-bureaucracy which was being shaped against great odds, suddenly received a setback in 1960.

Of course, many other factors were also responsible for the weaknesses of the Nepalese bureaucracy—lack of a scientific attitude, unhealthy administrative concepts and practices, inherent conservatism of the Nepalese economy, social and cultural structures, etc.

The bureaucracy had to work in such disequilibrium of social, economic and political forces—forces in favour of change and innovation, and the stronger forces for *status quo*.

To this disequilibrium was added the tensions in the bureaucracy *inter se*—between the old-line Rana or Rana-oriented officials who had lost much of their power and influence under the new democratic set-up, and the modernizing, new, fresh graduates from university who flourished more under the post-1959 elected government.

The palace as the centre of all powers always kept close watch on the bureaucracy. Sometimes the king barred promotions of those young officers who were more modern and advanced in their

<sup>113</sup>See Editorial, *Civil Service Journal of Nepal*, Vol. I, No. 1, p. 1.

ideas and promoted those who were tradition-bound. Sometimes he encouraged the secretaries to meet him directly to ventilate their grievances against their transient political bosses. It has been seen how during direct rule periods King Mahendra disregarded the Public Service Commission and made appointments over its head.

To counteract the royal design of weakening and demoralising the bureaucracy, it appears that B.P.Koirala as prime minister had given a ruling that no minister could meet the king without his permission and that he alone would report all governmental affairs to the king. This must have been done with a view to gain for the prime minister full effective political control over the cabinet and for the cabinet over the bureaucracy. This redefinition of the role of the king and the cabinet as well as of the bureaucracy must have, presumably, been unpalatable to King Mahendra. Perhaps this also accelerated his unhelpful, unconstructive and negative attitude towards the Koirala government.

Yet, by and large, the bureaucracy, along with the new democracy, fared well for 18 months during 1959-60. However, the political, social and economic backwardness of Nepal created a climate favourable for the royal takeover. With the dismissal of the democratic government was also dismissed the Nepal Public Service Commission, the O & M office, the Institute of Public Administration and other provisions of the 1959 Constitution.

So, not only democracy, but bureaucracy also had the greatest setback in Nepal in December 1960. Mihaly also confirms this view. As he points out:

The change of government had triggered another purge of civil servants. This particular purge, moreover, was one of the most extensive to date . . . . By the time the new government was constituted the coup had wrecked havoc in the administration. . . . The slow growth of confidence among civil servants that their jobs were somewhat sheltered from every political wind abruptly shattered. Inaction once again became the safest course for any civil servant who wanted to retain his position. . . .<sup>114</sup>

<sup>114</sup>Mihaly, *op. cit* , p, 120,

Under the circumstances, the situation in which the bureaucracy was placed after the royal coup, can be anybody's guess.

Retrospectively analyzing, the administrative effects of the coup were obviously devastating. Bureaucracy deteriorated—tenure security, appointments and promotions on merit and seniority now depended more upon the arbitrariness, whims and caprices of the palace, than on formal Acts, rules and procedures which had been evolved during the last decade.

In short, the new dimension and the new dynamism with a sense of purpose and responsibility engendering, in Peter M. Blau's words, "favourable attitudes towards change"<sup>115</sup> imparted and enjoined by the Koirala government to the Nepalese bureaucracy, came to an abrupt end in December 1960.

<sup>115</sup>Peter M. Blau, *The Dynamics of Bureaucracy*, Chicago, 1955, p. 184.

## *Chapter IX*

# Singha Darbar and Narayanhiti Darbar—1951-60

Although the revolution of 1950-51 introduced the forms and facade of a modern state and developed a modern democratic-bureaucratic framework of government, it also created two major competitive though interrelated administrative entities in Nepal during 1951-60. These two major administrative entities may be identified as, first, the Singha Darbar, wherein was located the central secretariat—the formally constituted civil administration with various ministries, departments and agencies of central and local administration; and the second, the Narayanhiti Darbar, wherein was located the palace secretariat with its various other secretariats and a host of officers and subordinates on the civil, military and judicial sides, beyond the pale of the regular democratic-bureaucratic framework. The former has been more visible but less powerful than the latter between 1951-59. During 1959-60, the Singha Darbar was emerging as an effective modern administrative entity under the first elected Government of Nepal. The two administrative entities came in clash towards the end of the Koirala government. The Narayanhiti Darbar became less visible and less powerful. This conflict between the two administrative entities led to tension in the field of Nepalese Public Administration which also paved the way for the December coup which will be discussed in another chapter. In this chapter we shall briefly discuss the two administrative entities as they emerged during 1951-60.

### THE SINGHA DARBAR

The conservative orientation of the first popular prime minister

M.P. Koirala who “had the King behind him”<sup>1</sup> and perhaps, therefore, became the Nepalese prime minister thrice between 1951-55, obstructed the emergence of the Singha Darbar as an effective modern administrative entity. Although substantial changes had been effected in the form and structure of the Singha Darbar during the Tribhuvan era (1951-55), it however presented a curious amalgam of the traditional and the modern elements in its various ministries and departments. The Rana psychology of administration was however not really eliminated. We have seen in earlier chapters how the composition and character of the Singha Darbar went on changing under the labels of “administrative reorganizations” and after 1956 “screenings.” Each time the king-associated attitudes and the Rana-associated procedures were attempted to be injected into the Singha Darbar.

We have also examined earlier that due to political chaos and confusion, various ministries came and went in quick succession in the Singha Darbar. The result was that King Tribhuvan had emerged as the kingdom’s actual ruler by 1955. The drift of power to the monarch had gone too far by 1955. Both the army and the bureaucracy in the central secretariat knew that the real ruler was prime minister and the council of ministers, but the king. So the Narayanhiti Darbar, and not the Singha Darbar, had become the proper place for decision-making.

The accession of King Mahendra to the throne in 1955 quickened the pace of the Narayanhiti Darbar to emerge as an effective administrative entity—the centre of political life and decision-making. He rather inaugurated his era (1955-59) with direct rule with Sardar Gunjman Singh as his principal royal adviser. From 1955 to 1959 the Narayanhiti Darbar became the centre of both political and administrative life in the country. Again, the politicians squabbled and the army and the bureaucracy looked to the king for their strength and existence.

We have seen how King Mahendra twice ruled directly, once as his own prime minister during a brief span of four years. Of course T.P. Acharya and K.I. Singh did become prime ministers on two occasions for short intervals. When they tried to assert and strengthen the Singha Darbar and get rid of the king’s lobby, they

<sup>1</sup>Chester Bowles, *Ambassador’s Report*, London, 1954, p. 274.

found themselves discredited and unceremoniously out of the government. We may mention here two incidents of considerable administrative importance.

In 1956 the Acharya government made frantic efforts to make the Singha Darbar an effective administrative entity through the administrative reorganization of the structure rather than mere change of personnel in the central secretariat. So, we know that the Civil Service Act and rules were passed and new cadres introduced. In pursuance of this policy, two screening committees were also established. The first headed by the prime minister screened selection grade officers (departmental secretaries, etc.). By mid-1957 the screening results were ready on the basis of qualifications, efficiency ratings and personal interviews. Many of the king- and the Rana-associated secretaries were to be dropped as they had failed in these tests. But the Acharya government had to quit before the results were announced. And later, the king promoted those who had failed and dismissed many who had passed. Presumably, the reasons were political. But it had a great demoralizing effect on the central secretariat.

When K.I. Singh took over from T.P. Acharya, there was a flutter in the Singha Darbar. On 12 August 1957 the setting up of the Special Police Organization and an intelligence cell under the supervision of the prime minister was viewed with fear and anxiety. His speech at the Singha Darbar to root out corruption and his list for the dismissal of corrupt officers, both in the Narayanhiti Darbar and the Singha Darbar, brought him into direct conflict with the palace. The senior secretariat officials were mostly royal appointees. K.I. Singh later confirmed that these officers in the Singha Darbar looked to the king as the *de facto* and *de jure* head of Nepalese administration. He was therefore dismissed so dramatically that he had to contact Nepal Radio that evening to obtain the text of the royal proclamation.

To elaborate, later, in May 1958, when K.I. Singh was tried in a special court, he submitted a list of the secretariat personnel<sup>2</sup> whom

<sup>2</sup>They were: Chief Secretary Chandra Bahadur Thapa, Bhim Bahadur Pandey (Secretary, Planning and Development); Keshar Bahadur K.C. (Secretary, Education); Nir Raj Bhandari (Secretary, Finance); C-in-C Toran Shamsheer and his son Harihar Shamsheer (Superintendent of Police). Also



he wanted to dismiss for their corruption, but the palace protected them and he himself stood dismissed by the king. The case against K.I.Singh was dropped but “the repercussions of K.I.Singh’s startling accusations were felt in Kathmandu for months to come.”<sup>3</sup>

The above two incidents illustrate supremacy of the Narayanhiti Darbar over the Singha Darbar.

The summer of 1959 saw the first elected government of B.P. Koirala in Nepal. For the first time since the revolution, the Singha Darbar was humming with life, vigour and new hope. Under the leadership of B.P.Koirala, S.P.Upadhyaya and Subarna Shamsher (as prime minister, home minister and finance minister respectively) the Singha Darbar, with speed and confidence, emerged as an effective centre of political and administrative decision-making. Modernizing elites entered the Singha Darbar, although the Rana-oriented and other conservative civil servants also continued to function. By July 1959 the civil secretariat had 11 new top secretaries who looked to the new ministers and not the king for orders. In August, the central secretariat had many new gazetted officers appointed on probation. That is, bureaucracy based on security and merit was developed and expanded to make it independent, impartial and fearless. What is significant is that for the first time the central administration was now having legislative control through parliament. Development administration as introduced assumed a new dimension. The various ministries and departments in the Singha Darbar were reorganized to suit needs of a modern, democratic administration. Under the circumstances, it could be said that given time and opportunity the Singha Darbar would have come to its own.

Since we have already discussed in the earlier chapters the organizational structure of the Singha Darbar and also its bureaucracy, we shall now refer briefly to the second administrative entity, the Narayanhiti Darbar, which, during the period, grew in strength and personnel and though less visible, became gradually very powerful.

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Secretary Hans Man Singh of the palace secretariat who appointed his brother in his office.

<sup>3</sup>B. Joshi and L.E. Rose, *Democratic Innovations in Nepal, etc.*, 1966, Berkeley and Los Angeles, p. 221.

## THE NARAYANHITI DARBAR

When King Tribhuvan established a palace secretariat at the Narayanhiti Darbar after the fall of the Ranas in 1951, he intended it to function “primarily as a relay station”<sup>4</sup> between the king and the cabinet. The secretaries of government and the cabinet secretary and other officers of the different departments in the Singha Darbar were to keep in touch with the secretary to King Tribhuvan.

A royal palace notification<sup>5</sup> of 28 October 1951 under the signature of King Tribhuvan is very important in this connection. This notification assigned the secretary to the king to render advice to the Nepal Public Service Commission besides such important functions, as (a) dealing with all “Government correspondence”; (b) dealing with all “Cabinet papers referred from different Ministries for the sake of order from or information to the King”; (c) dealing with all “applications relating to requests for the exercise of royal prerogatives by the King”; (d) regulating “relations with the general public”; (e) dealing with “measures of public welfare”; (f) exercising control “relating to the functions and discipline of the officials of the Palace Secretariat, and their appointments”; (g) maintaining the king’s engagement programmes outside the palace and functions inside the palace; and (h) dealing with all correspondence relating to “patronage to various associations; letters of appointments granted by the King; medals or rewards in competitions; tours of the King and maintenance of dispensary, garage etc. in the Palace.”<sup>6</sup>

Govind Narayan, ICS, was appointed secretary to King Tribhuvan by the above notification and assigned the above functions.<sup>7</sup> He organized the palace secretariat in October 1951 “to function as a link between the Cabinet and the King.”<sup>8</sup>

The palace secretariat got another wing the same month, when Major-General Yoga Bikram Rana was appointed military secretary to King Tribhuvan.<sup>9</sup>

<sup>4</sup>*Ibid.*, p. 376.

<sup>5</sup>For this royal palace notification, see *Nepal Gazette*, 28 October 1951, Kartik 12, 2008 V.S.

<sup>6</sup>*Ibid.*

<sup>7</sup>*Ibid.*

<sup>8</sup>As Govind Narayan stated to this author in an interview.

<sup>9</sup>*Nepal Gazette*, 28 October 1951, Kartik 12, 2008 V.S.,

As mentioned in the *Nepal Gazette* of 28 October 1951,<sup>10</sup> the military secretary had the following important functions: (a) arranging “audience by the King to Government officials of Nepal”; (b) “making arrangements regarding food and drinks and the domestic affairs of the Palace”; (c) “making arrangements of body-guards to the King”; (d) “making arrangements for tours of the King”; (e) arranging security “of life, throne and property of the King with the help of Police and Army” and granting permission for visiting the Palace; (f) exercising control “relating to the administration of property of the King”; (g) maintaining “account books of the Palace”; and (h) supervising “construction of domestic buildings within the Palace campus.”

The military secretariat later coordinated the king’s relations with the army and the police.

The palace secretariat gradually grew in size and personnel. It started with a secretary and a military secretary, as we saw in the notification above. A month later, a private secretary and assistant secretaries were also added.<sup>11</sup> The palace secretariat had a complex hierarchy of civil and military officials, recruited by the king and holding posts at the pleasure of the king.

We may recollect here that under the initial Delhi settlement of 1951 between the three political groups—the king; the Ranas; and the Nepali Congress—the first had emerged as a more effective centre of political and administrative decision-making immediately after the exit of B.P. Koirala from the first coalition government in 1951. According to the term of this settlement the cabinet was to be responsible to the palace till a duly elected parliament was not set up. Such a parliament was only elected in 1959. So, till 1959, the palace could continue as the centre of political authority. Through the control over the prime minister, the palace could very well establish authority over his colleagues in the cabinet and thus, in effect, over the Singha Darbar.

Moreover, the interim Constitution of 1951 had in reality, recognized the palace as the centre of all powers and authority. In

<sup>10</sup>*Ibid.*

<sup>11</sup>*Nepal Gazette*, 30 November 1951, Marg 28, 2008 V.S. Subba Hans Man was appointed as private secretary and Daya Ram and Ishwari Man as assistant secretaries.

effect, all powers enjoyed by the Rana prime ministers were now transferred to the palace.

Later, the Special Emergency Powers Act, 2009 V.S. (1952),<sup>12</sup> gave a new role to the crown. He could now exercise executive authority either directly or through officers appointed by him for that purpose<sup>13</sup>; and could act on everything on his own discretion;<sup>14</sup> that is, it was not necessary for him to act on the advice of his ministers. As we have seen, this extension of royal authority was further confirmed in 1954 through a major amendment in the interim Constitution.<sup>15</sup> The amendments reconstituted the provisions of the Constitution in such a way that the legislative, the executive and the judicial authority were made subservient to the king. As the king proclaimed, "the supreme authority in all affairs rests in us."<sup>16</sup>

The entire chapter dealing with the judiciary was therefore dropped except the provision for *pradhan nyayalaya*. Section 22(1) provided that the executive power vested in the king could be exercised by him "either directly or through Ministers or other officers subordinate to him." Section 25(1) reiterated the king's right to appoint his prime minister. Sections 57 and 58 restricted the powers of the advisory assembly. Section 30 completely vested in the king the power to pass all laws and ordinances.<sup>17</sup> King Tribhuvan had already wrested the control of the army from the Rana prime minister in 1951 and had made himself supreme commander. Whatever King Tribhuvan's wishes may have been, it could be asserted that during 1951-55 the palace had become the centre of all political and administrative decision-making.

King Tribhuvan's choice of the conservative M.P. Koirala, who was a former Rana civil servant, as prime minister split the Nepali Congress and disintegrated the democratic forces in Nepal. Hence the king's choice was significant. This helped the palace to consolidate its hold over government and administration. All powers

<sup>12</sup>For this Act see *Nepal Gazette*, Bhadra 24, 2009 V.S., pp. 17-20

<sup>13</sup>*Ibid.*

<sup>14</sup>*Ibid.*

<sup>15</sup>*Nepal Gazette*, Magh 25, 2011 V.S.

<sup>16</sup>See the Royal proclamation in the *ibid.*

<sup>17</sup>*Ibid.* See the important Sections 22, 25, 30, 57 and 58 of the interim Government of Nepal Act, 1954.

gradually centred in the Narayanhiti Darbar. However, King Tribhuvan decided not to exercise all the powers. By and large, he conducted himself as a constitutional head. But his son, King Mahendra, assumed broad administrative functions in 1955. He inaugurated his reign of four years with direct rule and brought the palace into the picture in the day to day governance of the country.

It has been seen how King Mahendra stood in the centre of political struggles and tried to have direct contact with the bureaucracy, the army, and the masses. Throughout the period, royal dictation and dominance continued. During periods of direct rule, the palace secretariat grew in strength and personnel and threw a direct challenge to the functioning of democracy and the central secretariat.

Moreover, the central secretariat was always packed with the king's men (mostly Shahs and Ranas), whenever there was direct rule. The same was done in case of the district administration, the Public Service Commission, the Election Commission, the Law Commission, the Planning Commission, etc. Royal authority was extended, sometimes openly. We have seen how with effect from 14 April 1958 the designation "Nepal Sarkar" was changed to "Shri Panch Ko Sarkar" and all foreign embassies as "Royal Nepalese Embassies." How significant it was can be anybody's guess.

It is also significant that during 1955 to 1959, the expenditure on the palace and the army also increased. Table XXIX will indicate

TABLE XXIX  
Expenditure on the Royal Household and Army  
(In lakhs of rupees): The General Budget, 1952-53 to 1960-61

Sl. no.	A.D.	V.S.	Royal household		Army		Remarks
			N.C.	I.C.	N.C.	I.C.	
1.	1952-53	2009-10	22.45	15.47	131.71	29.14	Actual
2.	1953-54	2010-11	4.10	7.37	67.25	26.26	Actual
3.	1954-55	2011-12	28.33	21.90	75.81	15.09	Actual
4.	1955-56	2012-13	36.47	34.51	75.55	6.53	Actual
5.	1956-57	2013-14	27.13	13.01	91.13	3.70	Actual
6.	1957-58	2014-15	31.54	10.79	105.36	9.63	Estimates
7.	1958-59	2015-16	35.96	8.53	119.49	15.55	Actual
8.	1959-60	2016-17	57.97		145.01		Actual
9.	1960-61	2017-18	77.57		172.13		Actual

Source: Based on E. Himsworth, *The Fiscal System of Nepal: A Report of His Majesty's Government*, Kathmandu, UN, 1959, cyclostyled, p 51.

the expenditure on the royal household and the army between 1952 to 1960. It may be noted here that from 1959-60 public accounts were kept in only Nepalese currency. Moreover, the conversion rates from Indian currency to Nepalese currency during the period were as under:

1952-59 (2009-16) I.C. 100=128 N.C.

1959-60 (2016-17) I.C. 100=150 N.C.

Thus, the expenditure over the Narayanhiti Darbar almost doubled during 1960-61.

It is useful to refer here to the speech of Ganesh Man Singh, while addressing a public meeting in Kathmandu, organized by the Democratic Front in September 1957. He had said:

If the King has slightest faith in democracy, he should strengthen the bases of democracy like the Supreme Court, the Public Service Commission, the General Elections. The Privy Purse of the King has increased to rupees 50-60 lakhs. If the King has any love and sympathy for the poor, miserable and oppressed people of the country, he should be content with rupees 2,000 or rupees 2500.<sup>18</sup>

But King Mahendra evidently had no such faith and so he went on assaulting the bases of democracy. The political parties were reduced to being helpless spectators in this royal game.

The palace also registered its triumph in the Constitution of 1959. The principle of royal supremacy, as propounded earlier, was fully affirmed. The political parties had no alternative but to accept the Constitution.

It will be sufficient to note here that the palace secretariat from 1955 to 1959 grew more powerful with the extension of royal authority and this led to the emergence of a dyarchical system of administration with two centres of decision-making. These two centres constituted the two administrative entities, both competitive—the Singha Darbar and the Narayanhiti Darbar.

The Naryanhiti Darbar by 1959 had several important clusters, centred around kinship, ancestral service, etc. It consisted of a diverse variety of interests, both civil and military, old and new,

<sup>18</sup>*Nepal Pukar*, 23 September 1957.

with one common vested interest “in protecting their privileged and crucial decision-making position against the encroachment of the government functioning”<sup>19</sup> at the Singha Darbar.

Till 1959, the prime minister and his colleagues and even the top civil servants usually sought private audiences with the king. These were occasions to ventilate their grievances against the prime minister or other political bosses. The king thus exercised his personal authority over the cabinet and the bureaucracy functioning at the Singha Durbar.

But the overwhelming victory of the Nepali Congress in the general elections in 1959 placed the popular leaders in the cabinet and the bureaucracy in a position from which it could counter the hitherto supreme king and palace secretariat. The dyarchical pattern of administration was no longer viable under the first elected government with the dynamic and popular B.P. Koirala as prime minister.

King Mahendra perhaps had sensed the possibility of the conflict of interests and functions between the two secretariats of the two administrative entities at the Narayanhiti Darbar and the Singha Darbar. He therefore staged a royal coup in December 1960 to resolve this conflict.

Whereas the central secretariat had a bureaucracy by and large recruited and controlled by the Public Service Commission and was based fairly on merit, the palace secretariat had a large number of employees, both officers and subordinates, civil, military and judicial, recruited by the king and held their posts “at His Majesty’s pleasure.”<sup>20</sup> Their conditions of service were “regulated by rules framed by His Majesty, the King, in his discretion.”<sup>21</sup> Any action taken by the king or any person authorized by him, against any employee in the palace secretariat, could be challenged in the law courts.<sup>22</sup>

Thus, the personnel in the palace was completely at the mercy and favour of the king. Unfortunately, the exact personnel statistics of the palace secretariat are not available. The personnel in

<sup>19</sup>Joshi and Rose, *op. cit.*, p. 376.

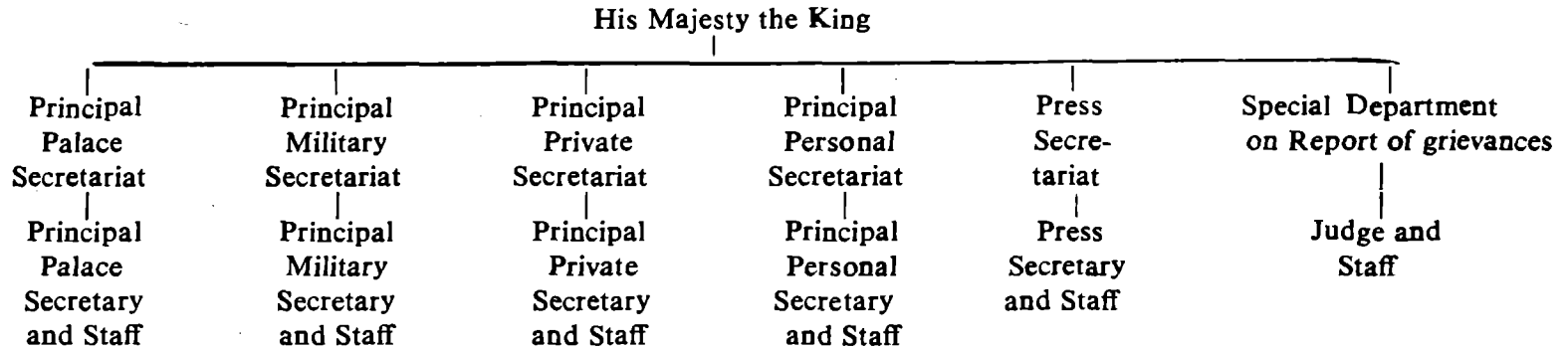
<sup>20</sup>For details see the Royal Palace Service Act, 1959, Act No. 5 of 2016 V.S., published in *Nepal Gazette*, 8 June 1959, Jestha 25, 2016 V.S.

<sup>21</sup>*Ibid.*

<sup>22</sup>*Ibid.*

### CHART XIII

Organizational Structure of the Palace Secretariat as on the Eve of the Royal Coup. December 1960



*Source:* Based on interview with Govinda Narayan, ICS, ex-Principal Palace Secretary to King Tribhuvan 1951-54; Ganga Vikram Sijapati, and Babu Ram Acharya and some staff members of the Royal Palace,



the palace retained the old designations of kaji, sardar, ditha, etc.

Though the exact organizational structure or the composition of the various secretariats in the Narayanhiti Darbar is not available, Chart XIII attempts to give an outline of the palace secretariat as it finally emerged on the eve of the royal coup in December 1960.

The six secretariats at the Narayanhiti Darbar may be examined separately.

The king had a principal palace secretary who was head of the principal palace secretariat. It governed the king's relations with the central secretariat.

The principal military secretary was in charge of the principal military secretariat which governed relations with the army and the police. A gazette notification dated 4 July 1960 had changed the designations of military secretary and assistant military secretary to the king to principal military secretary and military secretary, respectively.<sup>23</sup>

A principal personal secretary to the king headed the principal personal secretariat. It performed perhaps "the advisory and task force."<sup>24</sup>

Very close to the king was his private secretary, incharge of the principal private secretariat.

The press secretary, incharge of the press secretariat, controlled news and views and kept press clippings and regulated the Nepalese press. It did propaganda and publicity work also. A gazette notification of 12 May 1958 created the posts of press secretary, deputy press secretary, and assistant press secretary. They were previously called press attache. It had a public relations officer perhaps for the image-building of the king amongst the Nepalese people. It may be mentioned here that the king in Nepal is regarded as the incarnation of Vishnu. He is *Mahipati*, Lord of the land, *Narpati*, Lord of men, and *Dev*, that is God. So kingship in Nepal is divine and therefore the object of popular reverence and loyalty. The office of public relations was presumably to keep this image ever fresh in the people's memory.

The special department on the reporting of grievances (*bishes*

<sup>23</sup>*Nepal Gazette*, 4 July 1960.

<sup>24</sup>*Ibid.*, 12 May 1958, Baisakh 30, 2015 V.S.

*jaheri vibhag*), invited civil servants to express privately their complaints to the king. It also heard all cases of aggrieved persons against any branch of government—executive, legislative and judicial. It was the king's final court, though not officially until the 1960 coup. Later on, it did work so, and even now it so functions in the Narayanhiti Darbar.

The cluster of these six secretariats at the Narayanhiti Darbar, directly under the king, constituted a very powerful, though less visible, administrative entity in Nepal during the period.

## Chapter X

# Transnational Inducement of Administrative Reforms—1951-60

Recently, in an imaginative recognition of the world's new facts of life, large-scale efforts at "transnational inducement of administrative reforms"<sup>1</sup> in underdeveloped countries have been made. The purpose has been to further economic growth and political stability. Both East and West have entered into friendly competition to assist developing countries of Asia, Africa and Latin America to stand on their feet in the modern world.

Enjoying a strategic position sandwiched as it is between the two giants of Asia—India and China—Nepal received the attention of many countries from the East and the West during the period. Approximately 96 per cent of the development budget of this small Himalayan kingdom has been contributed by foreign aid missions since it took to administrative modernization and development programmes. The technical personnel from India, a host of advisers, instructors, planners, etc. came to Nepal between 1951 to 1960 to operate at all levels of administration and induce their Nepalese counterparts in the processes of modernization, reforms and changes. Since 1951, financial aid also came for such developmental work as health, education, roads, electricity, irrigation, water supply, posts and telegraphs, industry, veterinary, horticulture, forest, etc.

Later, the UN Technical Assistance Programme (UNTAP), the US Agency for International Development (US/AID), the Ford

<sup>1</sup>For a detailed discussion of transnational inducement of administrative reforms in the newly independent states and a comparative analysis of the bureaucracy in developing systems, see Ralph Braibanti, "Bureaucracy in Developing Systems," *Asian Bureaucratic Systems Emergent from the British Imperial Tradition*, 1966, Durham, pp. 3-14.

Foundation and the UN-OPEX programme also came to help Nepal scrap her age-old poverty and backwardness. It will be useful here to quote Goodall in this connection: "No important sector of Nepalese life is untouched by the external assistance agencies, and a description of administration in Nepal would be incomplete without notice of their activity."<sup>2</sup>

About the conflicting advice proffered by the donor countries, Goodall rightly observes: "Where advice is proffered, it may be drawn not from a single but rather from several and contrasting models of development. Moreover, conflicting advice may be pressed upon His Majesty's Government by several advisers, each of them working from common developmental premises but each expressing the varying internal needs of separate aid organisations. . . ."<sup>3</sup>

Such situations obviously led sometimes to administrative chaos in Nepal as the perplexed host government had very inadequate administrative resources of her own. But such chaos, which led to confusion and tension in Nepalese administration, foreshadowed the unhealthy competition into which Nepal was forced when, besides Indian aid, other aid also started flowing in. Sometimes this aid came owing to political reasons. It has been more so since 1959.<sup>4</sup>

In this chapter it is proposed to study briefly the impact of the transnational inducement and foreign aid on the country's public administration during this period.

The three important aid-giving sources during the period were India, the USA and the UN. However, as has been seen, the initial impulse for constitutional reforms and administrative modernization in Nepal came from India. We may therefore first refer to the Indian inducement.

#### INDIAN INDUCEMENT

It will appear from the preceding chapters<sup>5</sup> that as early as 1947,

<sup>2</sup>Goodall, "Administrative Change in Nepal", *Asian Bureaucratic Systems Emergent from the British Imperial Tradition*, R. Braibanti (ed.), Durham, 1966, p. 615.

<sup>3</sup>*Ibid.*, p. 616.

<sup>4</sup>Besides India, the USA and the UN, in 1949, the USSR, China, the UK, New Zealand, Canada and Switzerland also came with aid.

<sup>5</sup>See Chapter II. Also Chapter V,

prime minister Jawaharlal Nehru sought to convince the Ranas of the necessity of constitutional and administrative reforms. Padma Shamsher was induced to set up the Reforms Committee in May 1947 to suggest changes in the administration and a panel of Indian legal experts arrived in Nepal in June 1947 to help this committee. But owing to traditional hurdles, the reforms of Padma Shamsher brought his abdication on 26 April 1948.

After the overthrow of the autocratic Rana regime in 1951, the new Nepalese administration received a continuous flow of Indian advisers, technical personnel and financial aid. In Levi's words, Indian aid made "valuable contribution to Nepal's economic development"<sup>6</sup> and the administrative changes, specially from 1951 to 1956. During these years Indian inducement and influence was greater than after 1956 when big powers entered this small state with their aid programmes.

Moreover, the Indian advisers came to work in an unusually difficult environment during 1951-56. The Indians were thus pioneers in the field of administrative modernization in Nepal, immediately after the 1950-51 revolution. They helped Nepal as India believed and still believes "that its own progress and development will be incomplete without the economic growth of its neighbour with which it shares a common, continuous heritage."<sup>7</sup>

The Indian aid programme to Nepal commenced in 1951 with the construction of Gauchar airport. It has since then increased in volume and extent. A veritable lifeline in Nepal's communication, economy and administration of the tarai districts, the Tribhuvan Raj Path, a 73-mile stretch of road linking Kathmandu (near Thankot) and Bhainse, was completed by the Indian Aid Mission (IAM) in 1956.<sup>8</sup>

Both the airfield and the road were constructed with Indian money and by Indian army engineers with great initial difficulties. Nepal supplied only unskilled labour. We may consider these two

<sup>6</sup>Werner Levi, "Nepal in World Politics," *Pacific Affairs*, New York, September 1957, Vol. XXX, No. 3, p. 239.

<sup>7</sup>*Cooperation for Progress in Nepal*, New Delhi, 1966.

<sup>8</sup>*Indian Aid Mission* was known as IAM during this period. Later, it was changed to ICM (Indian Cooperation Mission) when prime minister Indira Gandhij visited Nepal in 1966. Hereafter it is cited as IAM.

projects as prime movers in change and development<sup>9</sup> of Nepal.

On 1 March 1954 an administrative centre for numerous projects initiated by India was opened with a senior ICS officer, K.B. Bhatia, as head of IAM.

IAM has provided since 1954 financial as well as technical aid to Nepal. IAM also administered its various schemes through its own staff and its own secretariat.

“To create the necessary expertise and skills for sustaining the development of Nepal,”<sup>10</sup> India, from the beginning, provided Nepalese the opportunities for training in Nepal (with Indian assistance) as well as in India. It included training of such personnel as overseers, rangers, foresters, village development personnel, doctors, engineers, agriculture, science and arts graduates, administrators, etc. as Table XXX indicates.

According to the figures available between 1952-62, in Nepal a total of 1,361 and in India a total of 1944 Nepali personnel were trained. A total of 3,305 personnel of the typology as indicated in Table XXX were trained under Indian aid during the 1952-62 period.<sup>11</sup>

TABLE XXX  
Typology of Nepali Personnel Trained under Indian Aid between 1952-60

Sl. no.	Typology of Nepali personnel	Trained in India/Nepal
1.	Overseers	In Nepal
2.	Rangers	
3.	Foresters	
4.	Stock supervisors	
5.	Stockmen	
6.	Village development personnel	
7.	Art, science and education	In India
8.	Agriculture and allied	
9.	Engineering and allied	
10.	Communication and allied	
11.	Medical and allied	
12.	Miscellaneous	

Source: Based on *Cooperation for Progress in Nepal*, New Delhi, 1966, adapted from a personnel graph.

<sup>9</sup>For a conceptual analysis of change and development in the developing countries see Daniel Lerner and Wilbur Schramm (eds.), *Communication and Change in the Developing Countries*, Honolulu, 1967.

<sup>10</sup>*Cooperation for Progress in Nepal*, New Delhi, 1966.

<sup>11</sup>*Ibid.*

To tide over the immediate shortage of experienced personnel in Nepal, India provided that country with a good number of qualified and experienced Indian personnel despite her own shortage of such categories. The Indian personnel cheerfully worked with the Nepalese at all levels of administration in hills, valleys and plains.

According to some important Nepalese authorities,<sup>12</sup> Govind Narayan, ICS, who was appointed secretary to the king, through a gazette notification dated 28 October 1951<sup>13</sup> introduced the forms and facade of a modern administrative system in Nepal. Through his efforts a central secretariat was set up at the Singha Darbar; modern ministries and departments were set up, new designations of secretaries, deputy secretaries and assistant secretaries introduced; and a new cadre of clerks; and filing system were adopted.

The gazette notification read: "Govinda Narayan, ICS, has taken over as Secretary to His Majesty the King. He shall in addition to the rendering of advice to Nepal Public Service Commission, perform such other functions as are assigned to him."<sup>14</sup>

Thus, he also helped Nepal in organizing and setting up the Public Service Commission. "All the Secretaries of Government, the Cabinet Secretaries, and Chief Officers of different Departments"<sup>15</sup> did correspondence with the king through his secretary, Govind Narayan.

Another Indian adviser, Brij Narayan, recommended modernizing rules and procedures for the proper functioning of the new government. Till February 1952 Govind Narayan, ICS, J.N. Shrinagesh, ICS, Brij Narayan and S.K. Sinha made valuable contributions towards the modernization of the central secretariat.

In July 1952 N.M. Buch, ICS, with K.P. Mathrani, ICS, and S. K. Anand, IPS, came to Nepal to submit their recommendations on the reorganization of Nepalese administration. We have already examined their major recommendations,<sup>16</sup> some of which were wisely implemented by the Nepal Government during the 1951-60

<sup>12</sup>This author interviewed ex-home minister, D.R. Regmi and ex-director of agriculture Ganga Vikram Sijapati at Kathmandu. They told this author that Govind Narayan was "modernization personified."

<sup>13</sup>*Nepal Gazette*, 28 October 1951, Kartik 12, 2008 V. S.

<sup>14</sup>*Ibid.*

<sup>15</sup>*Ibid.*

<sup>16</sup>See Chapter VI.

period. We have also discussed how the central ministries were reorganized to make them more sizable and scientific and many obsolete Rana addas abolished.

D.C. Lal, IPS, DIG of Police, Punjab, studied and helped in the modernization of police administration in Nepal during 1951-52. H. Lal, ICS, director of IAM, helped the Nepal Government in the preparation of the district administration manual for the use of the bada hakims.<sup>17</sup> It was a great inducement towards the reform in Nepalese district administration.

With the help of H. Lal, the ARPC had prepared a comprehensive and ambitious Report on Reorganization of District Administration in Nepal.

A commissioners' handbook was also prepared with Indian help for the use of commissioners who were to be appointed to assist, guide and pull up the district bada hakims and "form a tier between the districts and the Government." The Indian military mission helped Nepal to modernize its army.

In the educational field, the Tribhuvan University received large-scale Indian aid for the construction of buildings and setting up of a library and scholarships. Indian professors, readers and lecturers were provided by the IAM to man the posts in various departments of the university till Nepalese teachers were available.<sup>18</sup>

These efforts made by India were to build the infrastructure of a modern administrative system in Nepal. The idea was to enable Nepal to stand on her own feet with the minimum of outside assistance.

But frequent changes of government hampered Indian efforts. Moreover, the Nepalese press, incited quite frequently by internal political causes, from time to time raised anti-Indian slogans.

Table XXXI indicates the yearly tempo of utilization of Indian aid to Nepal throughout the period between 1951-60, in its efforts towards the modernization of the country.

As Table XXXI shows, Indian aid to Nepal increased from Rs

<sup>17</sup>*District Administration Manual*, 14 Magh, 2014 V.S.

<sup>18</sup>This author was himself one such Indian teacher in the department of political science, Tribhuvan University, under IAM, during the 1963-65 period, on deputation from Patna University.



7.44 crores NC during 1951-56 to Rs 9.14 crores NC during the 1956-61 period.

TABLE XXXI  
Yearly Tempo of the Utilization of Indian Aid to Nepal from 1951 to 1960

Sl. no.	Year	Amount in rupees (crores IC)	Amount in rupees (crores NC)	Expenditure on Colombo Plan training schemes (crores NC)	Grand Total (crores NC)
1.	1951 to 1955-56	4.42	7.07	0.37	7.44
2.	1956 to 1960-61	5.22	8.36	0.79	9.14
	Total	9.64	15.42	1.16	16.58

Source: Based on *Progress of Nepal-Indian Cooperation Programme, 1951-May 1968*, Kathmandu, Nepal, ICM, 1968, p. 12.

Indian commitments were available besides administrative reforms for roads and airports and for such municipal government schemes as water supply to Bishnumati, Karki Manthli, Sankhu, Balambu, Gaucher, Amlekhganj and Dhulikhel, and irrigation schemes for Baglung, Mahadeo Khola and Ashe Khola during 1956-60.<sup>19</sup> Later, IAM expanded its activities considerably and provided HMG Nepal, advisers in such fields as post and telegraph, finance and accounts, horticulture, education, audit, industries, technical and personnel training, law and justice, geology, archaeology and engineering.<sup>20</sup>

Accordingly, senior and experienced Indian experts in their fields of specialization were posted as members of the IAM, the biggest Indian mission, with a big secretariat located at Hari Bhawan, Kathmandu, to aid, advise and implement the plans, projects and schemes for the modernization of Nepal. These Indian members, advised and coordinated the fieldwork along with their Nepalese counterparts from the Singha Darbar. The director of IAM, since

<sup>19</sup>*Progress of Nepal-Indian Cooperation Programme, 1951-May 1968*, Kathmandu, Nepal, ICM, 1968. See *Schemes completed under the Indian Aid Programme*, p. 1.

<sup>20</sup>This author's interview with M. Ramunny, director, ICM, Kathmandu.

its inception, was always a senior member of the ICS. According to information available from M. Ramunny, director, ICM, the Indian Aid Mission had the following directors between 1954 to 1960 who made a valuable contribution towards Nepal's efforts at administrative modernization, as well as the coordination of all Indian aid to Nepal. They were all senior ICS officers:

K.B. Bhatia, ICS	1.3.1954 to 8.2.1956
H. Lal, ICS	14.4.1956 to 2.5.1960
D.R. Kohli, ICS	2.5.1960 to 28.4.1965

Commenting on Indian assistance to Nepal during the period, Chester Bowles wrote in his *Ambassador's Report*:

Knowing, as we do, that an impoverished people led by frustrated young intellectuals can be an easy target for Communist subversion, India has offered its assistance in Nepal's efforts to build a modern State. India's Civil Servants and technicians are now working effectively in Nepal, setting up a tax system and organising new government departments. And again, just as in case of America the result has often been abuse and criticism!<sup>21</sup>

However, it is commendable that India continued her assistance and inducement to Nepal in the interest of stability and progress in that country.

#### AMERICAN INDUCEMENT

Briefly stated, the American interest in Nepal was actually an extension of the American interest in India and her interest in the Himalayan kingdom bordering the communist world. As early as 1947, diplomatic relations between the two countries were established. But the Nepali Congress had suspicions about the American designs in Nepal. As early as February 1950, M.P. Koirala had observed: "The American designers of war do not want democracy in Nepal. They want Nepal to fall in line with them in their scheme for world domination in competition with Russia."<sup>22</sup>

However, the United States Technical Cooperation Mission

<sup>21</sup>Bowles, *op. cit.*, p. 280.

<sup>22</sup>*Hindu*, 17 February 1950.

(USTCM) was set up in Kathmandu on 16 January 1952, a year after the revolution.

It appears that Paul W. Rose, who directed the mission from 1952 to 1958, started with small resources, but with ambitious goals—training leadership; developing democratic institutions; policies to obtain financial support; developing effective methods of American-Nepalese cooperation, and formulating a development plan.<sup>23</sup>

In general, it could be said that what the USA wanted was to help Nepal in the modernization of her administration and economy so that she attained political stability. Thereby the USA, in fact, wanted to prevent communist incursion into Nepal. We could say that India too had some such intentions, specially when the Chinese raped Tibet and started knocking at Nepalese doors.

The American advisers and technical personnel covered such fields as village development, agriculture, health, mining, education, etc.

The USTCM restyled itself as the United States Operations Mission (USOM) in 1954. The American advisers became “participants” when Paul W. Rose introduced the cooperative service scheme for all the American-run projects. American technical personnel had offices in various ministries in the Singha Darbar. In February 1954, USOM had spent \$ 331,000 and the following years it spent \$ 1,328,000.<sup>24</sup>

From 1952 to 1955, American aid had very limited success. Perhaps its inherent weakness was the fact that Nepal was underdeveloped and backward to the extent the Americans could not realize. The Indians obviously knew Nepal better. So they had achieved greater success.

From 1955 to 1958 it appears that the immediate goal of American aid was to have political stability in Nepal. American Ambassador Ellsworth Bunker was very clear in his statement in 1958 about the goal of American aid. He had stated: “We are helping Nepal. . . because we feel that political independence is not enough, if political independence is to be maintained and safeguarded, economic

<sup>23</sup>Paul W. Rose, *The First Years*, unpublished, VII, pp. 1-2.

<sup>24</sup>E.B. Mihaly, *Foreign Aid and Politics in Nepal*, London, 1965, p. 36.

independence must go hand in hand with it.”<sup>25</sup>

With this end in view, USOM during this period, with additional funds and personnel, widened the base of its various projects. But again the success was limited because of what Dr C. Gray reported as “the low morale of host government personnel,”<sup>26</sup> and also frequent changes of governments and ministry personnel. Moreover, most American projects were actually what the International Cooperation Administration (ICA) report has described as “unrealistic plans.”<sup>27</sup>

On 23 May the *Samyukta Prayas* wrote that Nepal had become an unwilling partner in useless expenditures. The *Kalpana* criticized American aid: “If the Americans remain directors of the programme with Nepalese as their assistants, it will not be in keeping with the sentiments of the people of Nepal.”<sup>28</sup>

In 1959, when Nepal had the first elected government under B.P. Koirala, the USA considered it a significant step forward. Optimism ran high. In order to strengthen the hands of the new elected government and democracy in general in Nepal, the USOM wisely suggested a three-point programme,<sup>29</sup>—extension of transport and communications facilities to unify Nepal physically; expansion of government services in education, health and administration; and rise in national production.

American aid was therefore increased and President Eisenhower granted \$15 million to Nepal (in rupees) in early 1960.<sup>30</sup> USOM had now a new director in John L. Roach, a career official, transferred from Ceylon.

Meanwhile, as already discussed earlier, the Koirala government organized the bureaucracy and the central administration and attempted to give the Public Service Commission real powers and independence. The Americans generously helped the Koirala government with men and money towards the expansion and demo-

<sup>25</sup>*Six Years of Nepal-America Cooperation, 1952-58*, Kathmandu, USIS, 1958, p. 7.

<sup>26</sup>C. Gray, *End of Tour Report*, International Cooperation Administration, 1961, pp. 4-5. C. Gray was an American adviser in Nepal.

<sup>27</sup>*Ibid.*

<sup>28</sup>*Kalpana*, 2 June 1958.

<sup>29</sup>Mihaly, *op. cit.*, p. 115

<sup>30</sup>*Ibid.*, p. 116.

cratization of the administration and village development programme. But the royal coup gave a definite setback to the US aid programme.

### THE UN INDUCEMENT

The United Nations became first involved in the administrative modernization of Nepal and its development efforts in 1952. Merrill R. Goodall, senior UN adviser in public administration, appointed under the UNTAA programme in Nepal, had submitted his first report on the Nepalese administration in 1952 with valuable recommendations.

The UN had also its malaria eradication project worked out through WHO. Another UN agency, FAO, had a team in Nepal advising and supervising the Nepal Government on irrigation projects. The UNTAA participated as well as advised the Nepal Government. It had four advisers in the central secretariat. Other UN agencies like the ICAO, ILO and UNESCO were also active with relatively smaller projects in Nepal.<sup>31</sup>

Seven UN-Operational Executive (OPEX) officers (or experts) came to Nepal in 1959 to work as administrators in a bank, roads department, forest department, survey department, the RNAC, the managing mills, and other government-owned enterprises. One Swedish OPEX expert served as legal adviser to HMG in the foreign affairs ministry in 1959 and helped in the modernization of this ministry.

But the biggest contribution to the Nepalese personnel administration was that of the UN personnel adviser to HMG, Walter Fischer, who assembled the first personnel statistics in Nepal. We have discussed how a manual on personnel administration was prepared in the seminar on personnel administration, organized for the first time by Walter Fischer in 1958 at the Singha Darbar, in which all concerned officers of HMG in personnel matters participated. It was held under the auspices of the Institute of Public Administration, HMG Nepal.

Thus observed Fischer about the manual on personnel administration: "This Manual, which has to be amended, is welcomed as a

<sup>31</sup>All these UN auxiliary agencies helped Nepal in various ways towards her modernization.

practical help in the daily work of the officials concerned and also as comprehensive discussion background for new and better provisions and finally, as teaching material for training courses.”<sup>32</sup>

As has been noted, in the seminar Walter Fischer also discussed the question of setting up a pension fund for civil servants in Nepal as they had “no social security except the family unit.”<sup>33</sup> Evidence is lacking if such a pension fund was set up till 1960.

UN advisers on public administration also served on the seven-man committee set up in March 1957 by the ARPC. It was on its recommendations that the O & M office and the Institute of Public Administration were set up in Nepal in 1959.

But what may be considered a landmark in the public administration of Nepal was the UN-OPEX programme which was the most novel transnational inducement of administrative reforms in a small developing country. The idea behind the programme was that the UN officers should not only *advise*, but also *participate* in generating the force and capacity needed to convert political, social and economic demands of the host country into programmes and action.<sup>34</sup> The idea was to infuse the qualities in the Nepalese bureaucracy of rationality, speed and innovation to achieve the desired goals.

With this idea, the UN-OPEX officers secured appointments to such posts inside the Nepalese Civil Service as chief conservator of forests, legal adviser to HMG, chief engineer, road department, manager of the Nepal Bank, etc. Thus, they participated in Nepalese Government and the administrative system to give effect to governmental goals.

But UN-OPEX officers were bitterly frustrated.<sup>35</sup> Mihaly also confirms it when he observes: “OPEX administrators found them-

<sup>32</sup>Fischer, *Personnel Administration in Nepal*, UNTTA, Kathmandu, 1958, para 13, p. 3.

<sup>33</sup>*Ibid.*, para 45, p. 13

<sup>34</sup>Based on this author’s interview at Kathmandu with UN-OPEX officer, G.S. Glaister, senior engineer (planning), roads department, HMG Nepal. The UN-OPEX officers were under the administrative control of HMG while UN-advisers were under UN control.

<sup>35</sup>G.S. Glaister told this author “ever since 1959, UN-OPEX officers complained that things move very slow in Kathmandu; administration is rudimentary; and HMG suspects them.” Hence they felt frustrated.

selves the object of constant intrigue by Nepalese subordinates, who aimed to discredit and oust them.”<sup>36</sup>

The UN-OPEX officers however continued and against all odds they are still working with HMG Nepal.

According to G.S. Glaister, UN-OPEX officers are employees of HMG in all respects. Their salaries are paid by HMG and the difference is paid by the UN. But in case of UN-advisers the salaries are paid by the UN. Thus, the UN-OPEX officers are not “advisory” but “executive officers of HMG.” It may be considered a major experiment of the UN in transnational inducement of administrative reforms and modernization of a small developing country. But unfortunately, as noted above, the experiment has not been quite successful.

During 1959-60 the UN also assisted Nepal with Rs 136.30 lakhs in Nepalese currency as financial aid towards her modernization goals.

#### OTHER INDUCEMENTS

From 1955 to 1959, broadly speaking, Indian and American aid and inducement dominated in Nepal. But other countries also stepped in “the international scramble to aid Nepal.”<sup>37</sup>

Briefly stated, during this period, while Switzerland took active interest, the Chinese showed some generosity and the Soviets only prepared for a large-scale aid later during 1960-61.

Swiss aid, initially supported by private sources and administered through *Schweizerisches Hilfswerk für Aussenropaische Gebiete* (SHAG) commenced in Nepal in 1955 with a dairy and cheese plant set up at Langtang.<sup>38</sup> In 1956, the Central Dairy was opened in Kathmandu and in 1957 a cluster of cheese-making stations at Theodung.<sup>39</sup> The Swiss aid was confined to dairy venture.<sup>40</sup> They managed the plants, assisted by Nepalese trainees.

Later, they entered into husbandry, horticulture and cattle-breeding, etc. Run excellently well, the Swiss aided dairies induced the Nepalese in public undertakings. The Swiss ventures taught

<sup>36</sup>Mihaly, *op. cit.*, p. 171.

<sup>37</sup>*Ibid.*, p. 87.

<sup>38</sup>Langtang is six-days walk from Kathmandu.

<sup>39</sup>Theodang is a village six-days walk from Kathmandu.

<sup>40</sup>F. Elmigor, *SHAG Report*, Kathmandu, 31 July 1962.

them how they could be run well with more production and booming sales.

Agreement between the Government of the People's Republic of China and the Government of Nepal on economic aid on 7 October 1956 signalled China as an important factor in Nepalese political life. However, between 1956 and 1958 China only gave cash (\$ 4.2 million in Indian currency) and goods (\$ 8.4 millions) to be used by Nepal without any Chinese interference.<sup>41</sup> No Chinese personnel or technicians came to Nepal.

In general, the Koirala cabinet followed the policy of special relationship with India. In March 1960, B.P. Koirala visited Peking. Two significant events took place—a peaceful boundary settlement with China, although not quite definite or clear; and \$ 21 million more Chinese aid to Nepal.

It is significant to note that in April 1960, when Chinese premier Chou En-lai visited Kathmandu, he came with a proposal to construct a road between Kathmandu and Kodari. This road was to connect Kathmandu with the Tibetan and Chinese capitals (Lhasa and Peking respectively) and hence was strategic. The Koirala government was unwilling to enter this road agreement as this would mean alienating India by creating security problems for her. However, after Koirala's refusal and arrest in 1960, the Kathmandu-Kodari road agreement was signed in 1963 and the road has since been constructed.

In June 1960, the Mustang shooting was described as an "attack" by B.P. Koirala. China apologized for violating Nepalese territory. But the Chinese claim to Mount Everest was viewed with seriousness both in Nepal and India.

The USA and India certainly had a somewhat common objective in Nepal—to strengthen democracy and to keep out Chinese influence and infiltration.

As can be seen, Chinese aid to Nepal from 1956 to 1960 was not in terms of personnel or inducement to administrative reforms, but in terms of cash and commodities.

<sup>41</sup>See agreement between the Government of the People's Republic of China and the Government of the kingdom of Nepal on economic aid, 7 October 1956, in Chinese People's Republic, Institute of Foreign Affairs, *New Developments in Friendly Relations Between China and Nepal*, 1960, p. 16.



Indian aid, on the other hand, was more in terms of personnel, training facilities and administrative inducement "more suited to Nepal's needs and circumstances"<sup>42</sup> as the director of IAM, D.R. Kohli, ICS, later said in an address to the Rotary Club of Kathmandu in April 1961.

The Soviet aid of \$ 100,000 in cash and in kind was announced in 1958 when King Mahendra flew to Moscow in June that year.<sup>43</sup> The aid had an economic and social character as it extended to hospitals, factories (sugar and cigarettes) and hydroelectric power project (1,200 kw at Panauti near Kathmandu). To win Nepalese friendship, it was also accompanied by such personal gifts to the king as aircraft, motorcycles, radios, etc.

Other aid to Nepal<sup>44</sup> was more or less in the nature of winning Nepal's friendship and goodwill. It did not offer administrative inducements.

The foreign aid statistics as available from 1956-57 to 1960-61 reveal that up to 1959, the aid was primarily Indian and American. Other foreign aid was made available to Nepal during 1959-60 and onwards.

Table XXXII gives an over-all picture of foreign aid to Nepal.

From the preceding discussions it follows that the transnational inducement of the administrative reforms during 1951-60 came mainly from India, the USA and the UN.

However, what is important is the fact that the external assistance team and missions through advice, grants, loans, training, etc. "drawn not from a single but rather from several and contrasting models of development,"<sup>45</sup> also led to tension in administrative field in Nepal. The host government was sometimes perplexed as it lacked both the administrative capacity and the political will to digest the aid and the inducement.

To it were added, as already pointed out, the tensions between the two administrative entities (the Singha Darbar and the Narayanhiti Darbar) competing with each other.

<sup>42</sup>Address by D.R. Kohli to the Rotary Club of Kathmandu, 26 April 1961. Kathmandu, IAM, 1961.

<sup>43</sup>*Kalpana*, 14 June 1958. Also Mihaly, *op. cit.*, p. 98.

<sup>44</sup>Such as from the UK, New Zealand and Canada.

<sup>45</sup>Goodall, *op. cit.*, p. 616.

TABLE XXXII

Foreign Aid to Nepal during 1956-61 (In Nepalese rupees 1,00,000)

Sl. no.	Name of the aid giving countries	1956-57	1957-58	1958-59	1959-60	1960-61	Totals
1.	United States	127.53	484.73	179.51	562.25	869.97	2,223.99
2.	India	145.70	96.05	171.02	184.50	223.55	830.82
3.	USSR	—	—	—	—	84.56	84.56
4.	China	—	—	—	321.35	—	321.35
5.	UK	—	—	—	6.73	30.47	37.20
6.	New Zealand	—	—	—	11.30	10.00	21.30
7.	Australia	—	—	—	—	8.49	8.49
8.	Canada	—	—	—	11.25	—	11.25
9.	Switzerland	—	—	—	19.72	4.09	23.81
10.	Ford Foundation	—	—	—	—	106.55	106.55
11.	United Nations	—	—	—	136.30	33.31	169.61

Source: Based on Merrill R. Goodall, "Administrative Change in Nepal," Ralph Braibanti (ed.), *Asian Bureaucratic Systems Emergent from the British Imperial Tradition*, Durham, 1966, p. 635.

We shall now discuss in the next chapter the various forces and factors ranged against first popularly elected government of Nepal which facilitated the royal *coup d'etat* of 15 December 1960.

## *Chapter XI*

### **Tensions and the December 1960 Royal Coup**

Usually monarchs feel uncomfortable with politicians; King Mahendra was no exception. Moreover, B.P. Koirala who took office on 27 May 1959 was an unusually dynamic, popular and fearless politician committed to democracy and socialism. Subarna Shamsheer, the finance minister was a good administrator and so was S.P. Upadhyaya, the home minister. For the first time in the country's history, the Koirala government had imparted an element of stability to the administration. With speed and confidence, the new government started striking at the roots of a traditional society and its vested interests.

But ranged against this elected government were not only the vast conservative and reactionary forces but also the army, a part of the bureaucracy, and irresponsible politicians and political parties. They created tensions in the valley. To these tensions, were added the transnational inducements and advice drawn from various, sometimes contrasting, models of development. They left the host country frequently perplexed in the field of public administration. To this tension was added the rivalry between two administrative entities, the Singha Darbar and the Narayanhiti Darbar. In the political life of Nepal they created another tension as they created various lobbies—Indian, American, Chinese, Russian, etc.; and the royalist and the anti-royalist, etc.

And above all, power had been one thing which King Mahendra could not share with anyone. He was unsuited to the idea of a constitutional monarchy. So he was looking forward for an opportunity, rather an excuse, to intervene. We shall analyze here the tensions, external and internal, during the thrilling period of 18 months of the first elected government, after which King Mahendra silently staged a bloodless coup on 15 December 1960 against his

own government, arrested all political leaders, dissolved the elected parliament, abrogated the whole constitution, dismissed all the political parties of Nepal and invented a new political system which he claimed suited Nepal's political genius best. With this ended democratic administration in Nepal along with its efforts towards transition from a traditional autocratic system to a modern democratic one.

### TENSIONS

(a) *Tensions of Foreign Policy.* Placed between the two Asian giants—India and China—who are poles apart from each other politically and ideologically, the small Himalayan kingdom of Nepal always found itself in an embarrassing situation ever since 1950. The anti-Indian feeling which remained implicit in Nepalese political life was exploited by China to make the best of a considerable strategic importance of Nepal. But India's stakes in Nepal remained still greater.

During 1959-60, the relations between India and China worsened over border issues.<sup>1</sup> The Nepali Congress as a political party had unequivocally condemned Chinese imperialist policy of enslavement of Tibet.<sup>2</sup> The Sino-Indian dispute had actually brought the cold war to Nepal's doorstep. In Nepal, during 1959-60, mainly two lobbies had developed—the pro-India and the pro-China lobbies. Political parties accused the government of both, though when in power the Nepali Congress remained neutral.

A statement of prime minister Nehru in the Indian parliament in November 1959 that "any aggression against Bhutan and Nepal would be regarded as aggression against India,"<sup>3</sup> meant trouble for the Congress government in Nepal. The anti-Indian elements in Nepal started a vilification campaign against India and the Koirala government. All political parties, of course, knowing India's real intentions, raised a cry that the Koirala government wanted to sell Nepal to India. B.P.Koirala later clarified that "there is no

<sup>1</sup>Notes, Memoranda and Letters exchanged between the Governments of India and China, etc: White Papers, Nos. 1-3, New Delhi, Ministry of External Affairs, 1969-60.

<sup>2</sup>*Kalpana*, 2 May 1958.

<sup>3</sup>*Statesman*, 28 November 1959.

occasion for Nepal to seek anybody's help, and in the event of any aggression on Nepal, it is Nepal who will decide if there has been an aggression."<sup>4</sup>

In January 1960 B.P.Koirala visited India. In a joint communique on 29 January 1959 the prime ministers of India and Nepal stressed "the similarity of approach to international problems by the two governments."<sup>5</sup> Indian aid of rupees 18 crores was also announced to assist the development programme of Nepal.

In March 1960 B.P.Koirala visited China. Chinese aid of ten crore rupees was also announced. A border agreement was reached.<sup>6</sup> But in June 1960 the Chinese entered Nepal at Mustang and killed one Nepali soldier and captured 18 others. B.P.Koirala called it an "attack and violation of Nepalese territory." Later the Chinese apologized. It is interesting that the Chinese claimed Mount Everest as they had a name for it, *Jhomolungma*, but the Nepalese had no name except the British one.

This had caused a sensation in Kathmandu. Cold war politics and the pro-India and pro-China lobbies caused frequent flutters in Nepal and the opposition parties used it as a weapon to attack the Koirala government whenever it suited them. Sometimes they talked about the Indian or Chinese interference in Nepalese affairs and sometimes they thought that the Koirala government could not safeguard the territorial integrity because of tensions between India and China.

(b) *Tensions at Home.* The Koirala government was committed to socialism, land and tax reforms, and forest nationalization. The king had himself said in his first speech to parliament that "the green forests of Nepal are the wealth of Nepal,"<sup>7</sup> and that this wealth needed the government's careful husbandry and conservation. But when the Koirala government initiated a bill in parliament for the nationalization of forests, it was opposed tooth and

<sup>4</sup> *Ibid.*, 30 November 1959.

<sup>5</sup> *Indian Express*, 29 January 1959.

<sup>6</sup> For the text of the border agreement see *News from Nepal*, Kathmandu, Vol. I, 12 April 1960, pp. 3-16.

<sup>7</sup> Address to the First Parliament, 24 July 1959, *Proclamations, Speeches and Messages*, Vol. I, p. 151.

nail by the forest contractors and other vested interests.<sup>8</sup>

The biggest (and a heroic) step taken by the Koirala government however was the introduction of the Birta Abolition Bill, which was opposed fiercely by *birtawals* and big landlords. It was delayed till October 1959, when, after heated debate and stiff opposition by the traditional elements who thrived on social inequalities, the bill was finally passed. The *birta* and *guthi* systems were the remnants of feudalism and their abolition meant good-bye to the stronghold of the Rana system and a big blow to feudal proprietorship. It was almost a revolution in the land tenure system of Nepal. Naturally, the forces of reaction were alarmed and prepared to launch disturbances in the country, specially in the places where they had their strongholds.

Under the Birta Abolition Act, 1959, were framed the Birta Abolition Rules, 1960, published in an extraordinary issue of the *Nepal Gazette*, dated 25 November 1960. This land reform would have yielded about one crore rupees to the Nepal Government.<sup>9</sup>

The nominated members of the Upper House were, as was expected, the king's men. Out of the other 18 members elected by the Lower House only ten belonged to the Nepali Congress. So, the Upper House, having a majority of the king's men, offered resistance to the Koirala government's scheme of economic reforms and adopted various obstructionist tactics.

In 1959 K.I. Singh threatened outside parliament a nationwide civil disobedience movement<sup>10</sup> and the communists in some pockets in the tarai led an anti-Congress agitation, owing to food shortage. Politically frustrated, the three parties—the Praja Parishad, the United Democratic Party and the Prajatantrik Mahasabha—announced the formation of a National Democratic Front.<sup>11</sup> It charged the Congress government of maintaining “an autocracy

<sup>8</sup>According to Anirudha Gupta, who quotes his interview with Bishwa Bandhu Thapa, “even the King's brothers opposed the nationalization of forests as it threatened to deprive them of their contractorship.” See Gupta, *Politics in Nepal; etc.*, Bombay, 1964, p. 153.

<sup>9</sup>For details see *Janata Ko Bhalai Ko Lagi*, HMG Nepal, Department of Publicity and Broadcasting, 1959.

<sup>10</sup>*Kalpana*, 16 November 1959.

<sup>11</sup>*Swatantra Samachar*, 1 June 1959.

<sup>12</sup>*Halkhabar*, 6 June 1959.

with the help of foreign elements.”<sup>12</sup> It incited people to lawlessness and disorder, in order to overthrow the Congress government through extra-constitutional devices. Perhaps the political parties unknowingly were digging their own graves and also that of democracy in Nepal.

It is commendable that B.P. Koirala, with enough courage and confidence, however moved ahead with his socialist programme leading the parliament and the country, caring little for the disturbances being planned by the forces of reaction and frustrated politicians.

Perhaps he overestimated himself and was overconfident of the Nepalese people and reconciled to the inevitability of the disturbances in a society in transition from tradition to modernity. He thought that some reactionaries were, as he said, “making foolish attempts to stop these earth-shaking changes.”<sup>13</sup>

However, three internal disturbances proved fatal for the Congress government.

(i) *West No. 1 Disturbances*. In August 1960 widespread lawlessness broke out in West No. 1 district with Nuvakot as its headquarters. It was a stronghold of Shah influence and Gurkha pride. Politically, it was also a stronghold of the Gurkha Parishad. The peasants in this district moved to violence against big feudal lords. The bada hakim somehow, after six weeks of panic and lawlessness, restored order in this district.

(ii) *Gorkha Firing*. In November 1960, the district of Gorkha, the ancestral home of the Shah kings, was in ferment for the second time. This time it meant loot, murder and arson, led by one yogi, Narharinath of Karmavir Mahamandal, a party of local landlords and feudal elements which incited the people “not to pay taxes, not to let the forests be nationalized by the Government, and to overthrow the government by violent and terrorist methods.”<sup>14</sup> The yogi, who declared himself the reincarnation of “Gorakhanath” but actually served as the emissary of the forces of reaction—the rajas, the rajyas and rajautas, the feudal lords, etc. with the Karmavir Mahamandal at his back, had connections with all the three disturbances. He and the mandal incited people to seize the Gorkha

<sup>13</sup>For the text of B.P. Koirala’s speech see *Kalpana*, 11 December 1960.

<sup>14</sup>*Dainik Nepal*, 28 October 1960.

government by force and violence. This led to firing in Gorkha, as the troops sent from Kathmandu to face some 3,000 armed persons attacking district offices had no alternative.

The opposition political parties took advantage of these disturbances to condemn the Congress government of inefficiency and unjustified firing in Gorkha. B.P. Koirala ordered for a judicial enquiry in Gorkha firing headed by a supreme court judge on 7 November, 1960. He himself visited the district and the situation came well under control. The yogi fled Gorkha and was apprehended on 1 November, 1960, in Jumla.

Besides these two incidents of lawlessness and anarchy in the two districts, a third incident also proved fatal. This was the Bajhang episode.

(iii) *Bajhang Episode*. The Nepali Congress was committed to the programme of abolishing the feudal principalities, the rajyas and rajautas in Nepal.

In pursuance of this policy, the Congress government, in May 1960, announced in the *Nepal Gazette*<sup>15</sup> the abolition of the rajya courts at Dullu, Gulmi, Jajarkot, Darim, Bajhang, Phalawang, Garhankot, and Galkot. It thus attempted to achieve administrative integration and eliminate these last remnants of feudalism from Nepal.

The Bajhang rulers, Ram Jang and his son, Om Jang, openly revolted against the Koirala government. In August 1960, Om Jang arrested the district judge and looted the district government offices and seized the forest department. He was helped by the local people. Later, the raja and his son fled to India as their resistance fell to superior government forces.

On 23 November, 1960 Raja Ram Jang was again in Kathmandu seeking the help of the king to regain his lost position. The government placed him under house arrest.

Some opposition parties including the Gorkha Parishad, the Praja Parishad, the Tarai Congress and the Karmavir Mahamandal decided to form a new party in September 1960<sup>16</sup> to press for the

<sup>15</sup>*Nepal Gazette*, 14 March 1960, Chaitra 1, 2016 V.S. See the text of the *Rajya Adalat Abolition Ordinance*, 2016 V.S. Also see *Nepal Gazette*, 14 May 1960, Jestha 1, 2017 V.S. for a Home Ministry notification regarding abolition of Rajya Courts.

<sup>16</sup>*Commoner*, 8 September 1960.



dismissal of the Congress government.

Meanwhile, B.P. Koirala's brother M.P. Koirala, leading a few Congressmen, defected and joined the Opposition, and beseeched the king to dismiss the Koirala government and save the country from the "Congress dictatorship."<sup>17</sup> For personal reasons, as one newspaper<sup>18</sup> commented, M.P. Koirala had earlier even advised the king either to resume direct rule or to call upon him to form a government.

Another intra-party opposition which the Nepali Congress faced was from Tulsi Giri and Vishwabandhu Thapa. Tulsi Giri dramatically resigned from the government in August 1960. In November and December 1960 he started openly criticizing the Koirala government for its total failure "to introduce any administrative reform."<sup>19</sup>

Jana Hit Sangha, formed in April 1960, had started a series of demonstrations and strikes in Kathmandu in November openly opposing the government's programme of *birta* abolition and new taxation. It had Kathmandu's landlords and merchants on its roll. It agitated for a partyless government and looked to the king for his intervention for the defeat of the progressive legislation and dismissal of the elected government.

But in spite of all these tensions, agitations and odds, B.P. Koirala went on working with his plans, projects and schemes with boundless faith in socialism and democracy and in the people and the youth of Nepal.

#### THE DECEMBER 1960 ROYAL COUP D'ETAT

Apparently the king was calm and unruffled throughout the period while the Opposition elements to the new government grew more demonstrative and obstreperous. He presumably preferred to wait and watch.

But from time to time he used his public speeches and royal messages as a veiled criticism of the activities and the policies of the new government. In a way, these speeches also passed judgments on the government and gave it veiled warnings.

<sup>17</sup>*Naya Samaj*, 9 September 1960

<sup>18</sup>*Samiksha*, 17 August 1960.

<sup>19</sup>*Halkhabar*, 24 November 1960.

For example, in a significant speech at Banke-Bardia on 30 January 1960, King Mahendra remarked:

The fair name of Democracy should never be permitted to be exploited to do evil rather than good to the people.

. . . I too, do have certain duties by my country and these are to maintain the sovereignty of the country; to maintain the national integrity; to improve our relations with other countries; to initiate actions oriented to the public good. Should I find any real let or hindrance along the path of my performance of these duties I would not hesitate to take whatever step that may be necessary and at whatever cost. All I would need in this task would be the unstinted cooperation of my people. . .<sup>20</sup>

This speech, though it did not refer specifically to the Koirala government, contained a veiled warning to it and hinted at the part the king could play in taking "whatever step" he thought fit.

In another royal message of 19 February 1960<sup>21</sup> the king directly warned the government: "If, discarding anarchism and narrow mindedness, the Government gives priority to the welfare of the country—only then can the people understand the policies of the Government."<sup>22</sup>

But in an address to the second session of parliament on 31 March 1960, King Mahendra however referred to all the principal achievements of the new government and remarked: "We hope and believe that efforts will not be spared in putting the *Constitutional Parliamentary System* on a firmer foundation in the country."<sup>23</sup>

Ten days later he left the capital on a state visit to Japan and the USA. A day before when the refugees from West No. 1 district pleaded with the king to intervene directly to restore law and order, he had assured them of necessary measures.

<sup>20</sup>Address to the people of Banke-Bardia, 30 January 1960, in *Proclamations, Speeches and Messages*, Vol. I, pp. 163-164.

<sup>21</sup>*Gorkhapatra*, 19 February 1960.

<sup>22</sup>Royal message delivered on the occasion of National Democracy Day, *Gorkhapatra*, 19 February 1960.

<sup>23</sup>Address to the second session of the two Houses of parliament, 31 March 1960 in *Proclamations, Speeches and Messages*, Vol. I, p. 175. (Emphasis added.)

He returned to Kathmandu on 28 July 1960 after his successful visits to the USA, Canada and Japan. On his way back he stopped at Lisbon, Paris, Frankfurt, Vienna, Tehran, Kabul and New Delhi. Before these foreign visits, he had just finished his royal tours of Nepal districts, talking to his people, bestowing favours, redressing local grievances and establishing thereby direct contact with the masses. In the foreign tours, perhaps he got the opportunity of his image-building abroad. Both the tours, we may say, constituted a minor breach in the "constitutional parliamentary system" to which he had earlier referred. He could have very well left the prime minister of the first elected government to go on tours inside and outside the country. But how could an unusually active ruler relegate himself to a passive constitutional role?

Once again the refugees from West No. 1 district appeared in Kathmandu on 28 July 1960 pleading with the king to intervene directly to redress their grievances.

King Mahendra's remarks in his address to the nation on 28 July 1960 were meaningful. He said: "The more I have seen of developed countries, the more I felt dispirited at the vast backlog in our scientific and technical development. . . . All we need is to forge ahead in our honest endeavour by placing the national interests far above self-interest."<sup>24</sup>

He further said: "On arrival in India we heard that in West No. 1 district there still prevails some disturbance; if such is really the fact, I should be very much grieved. But I am very much hopeful that this present Government with a year long experience to look back upon should be much vigilant in this respect. . . ."<sup>25</sup>

During July-August 1960, King Mahendra was unusually active in meeting the members of the cabinet and Opposition leaders. The Opposition leaders were also active with their agitational politics. Ominous rumours went round the valley that the king was contemplating some action. But what action just no one could say.

The Jana Hit Sangha had petitioned the king to repeal Government's taxation and land reform measures. King Mahendra's reply was significant.

<sup>24</sup>Address to the nation after returning home from the state visit to Japan and USA, 28 July 1960, *Proclamations, Speeches and Messages*, Vol. I, p. 188.

<sup>25</sup>*Ibid.*

As reported in a Kathmandu newspaper of 21 September 1960, King Mahendra had said:

It is not proper for His Majesty to intervene in any way from time to time. If you think that the Government whom you chose has acted in a way detrimental to the interests of the country or any of its citizens, every Nepali citizen has the right to express his opposition according to rules. If, therefore, with the welfare of the people and the country in mind, you initiate any good step in a democratic manner, His Majesty the King will definitely act for the equal protection and welfare of nationalism, the country, and the people.<sup>26</sup>

These words from King Mahendra clearly implied incitement to Jana Hit Sangha and other Opposition parties to continue and speed up their agitation against the elected government.

In October 1960 the king and queen went to the UK on the first ever visit by any Nepali monarch. There he got the news of police firing in Gorkha and trouble in Bajhang.

On his return to Kathmandu on 9 November 1960, King Mahendra observed at the airport: "I share with all the patriots the sadness of heart to hear of the disturbance of peace in some parts of our country during my absence—a disturbance in which several people lost their lives. I cannot make any comment on this incident without getting full details."<sup>27</sup>

But in the speech he had already commented on and sympathized with the dead. On 13 November 1960, in his message on the occasion of Revolution Day, he told the people: "Things mundane are things subject to constant change. With this axiom always in the forefront of their consciousness the people in authority should put forth their unstinted endeavour for the advancement of all in a spirit of extreme selflessness; otherwise they shall have the stigma of realising their selfish ends at the price of the blood of these martyrs."<sup>28</sup>

<sup>26</sup>*Sahibato*, 21 September 1960.

<sup>27</sup>Address in reply to the reception held to welcome their majesties on their coming back at the conclusion of the state visit to UK, 9 November 1960, *Proclamations, Speeches and Messages*, Vol. I, p. 200.

<sup>28</sup>*Ibid.* See message on the occasion of the Revolution Day, 13 November 1960, pp. 200-201.

Retrospectively analyzing, we may say that all these royal speeches and messages were intended to prepare the ground for the *coup d'etat* in December 1960. One could read between the lines the king's mind and mood. But in December the valley was otherwise calm and quiet, the government was running smoothly and life was normal. No one really knew the king's mind and mood. On 12 December 1960 deputy prime minister Subarna Shamsher however left for Calcutta for personal reasons.

On 15 December 1960, the fateful day, the prime minister with his cabinet colleagues was out to Thapathalli<sup>29</sup> to attend a meeting of Tarun Dal (Nepali Youth Conference). It was then that King Mahendra took "action." An extremely courteous military officer<sup>30</sup> at the head of a loyal royal force of 100 men approached the youth rally, disarmed the prime minister's bodyguards, and requested the prime minister on the dais to leave it and accompany him. Other colleagues also met the same fate. They were all under arrest by the king's order.

All of them were silently arrested, while the 1,000 strong youth rally continued. After some time, the troop returned and arrested the general secretary of the Tarun Dal, Kamal Chitrakar.<sup>31</sup>

Only then did the audience know that a modern version of the "Kot Massacre" of 1846 had been staged by the king himself.

By evening all ministers of the Congress government were behind bars in Kathmandu. It was "King Mahendra's *coup* against his own Government"<sup>32</sup> through the instrument of the army—the royal army—of which he was supreme commander.

Inside and outside Kathmandu, and to the world, the *coup* came as a surprise and shock. In the evening a royal proclamation soun-

<sup>29</sup>Thapathalli is in Kathmandu, close to the Singha Darbar.

<sup>30</sup>This officer was Brigadier-General Samar Raj. In an interview he told this author that the arrest posed no problem and the whole operation was effected much at ease without any resistance, to his surprise and that of the troops.

<sup>31</sup>Kamal Chitrakar gave an account of the youth rally and *coup* to this author when he lectured in Tribhuvan University, Kathmandu during 1963-65. Kamal Chitrakar was then a student of M.A. in political science at the university.

<sup>32</sup>See editorial "Shock from Nepal," *Eastern World*, London, January 1961, Vol. XV, No. 1, p. 15.

ded the death knell of parliamentary democracy in Nepal, in these words:

Keeping in view nothing but the good of the country and of the people, we have this day, in exercise of the powers conferred on Us by Article 55 of the Constitution, dissolved by this Proclamation the Cabinet alongwith both the Houses of Parliament; and have assumed unto Ourselves the entire administration of the country. . . .<sup>33</sup>

The royal proclamation was couched in such language that it created much confusion among the listeners. It indicted the Koirala government on vague and general charges, like the government had failed to maintain law and order; attempted to dislocate and paralyse the administrative machinery; encouraged corrupt practices; encouraged anti-national elements; deviated from the path of duty; put individual and party interests above national interests; imperilled national unity; and undertaken economic measures "on the basis not of scientific analysis and factual study, but in pursuance of purely theoretical principles."<sup>34</sup>

As one commentator rightly observes: "The Royal Proclamation of December 15, 1960 was the greatest political hoax played in modern times upon democracy."<sup>35</sup> The charges levelled against the Koirala government were full of verbiage and were baseless, unsubstantiated and signified nothing.

As S. Katrak commented in the *Eastern World*, London: "Democracy in Nepal has received a sudden and quite unexpected setback. . . .He could have intervened effectively without resorting to such drastic measures. . . ."<sup>36</sup>

Three weeks after this successful *coup* King Mahendra issued an order banning all political activities and dissolving all political

<sup>33</sup>Proclamation dissolving the cabinet and both Houses of parliament to make room for a new system suited to the genius of the country and the people, 15 December 1960, *Proclamations, Speeches and Messages*, Vol. II, p. 2.

<sup>34</sup>*Ibid.*

<sup>35</sup>Hari Mohan Jain, "India and the Rise and Fall of Democracy in Nepal," *University of Allahabad Studies*, 1963-64, p. 18.

<sup>36</sup>See S. Katrak, "Setback in Nepal," *Eastern World*, London, February 1961, Vol. XV, No. 2, p. 17.

parties. Thus the party government between 1951 and 1960 gave way to partyless government and party politics gave way to partyless politics as dispensed by King Mahendra. He claimed that he acted to "defend democracy," though later developments however proved that the December *coup* destroyed democracy in Nepal. It registered the triumph of feudal, anti-Indian, anti-democratic and authoritarian forces, negatively favourable to the Chinese and the communists in Nepal.

With the march of events, a few things which prime minister Nehru had said on the end of parliamentary democracy in Nepal in 1960, at the Sardarnagar session of the Indian National Congress, proved to be true. He had said: ". . . What has been done appears to be not only some kind of step against the Government of a party but basically against the concept of democracy itself. Therefore we regret it and we are concerned about it."<sup>37</sup>

He had also expressed his concern in a speech in the Rajya Sabha on 20 December 1960: ". . . the basic fact remains that this is not a question of pushing out a government which has a big majority. This is a complete reversal of the democratic process, and it is not clear to me that there can be a going back to the democratic process in the foreseeable future . . . ." <sup>38</sup>

Administratively, as indicated earlier, the effects of the *coup* were shattering. The administrative system was now to be based upon arbitrary rather than formalized and standardized procedures and upon the flattery of the palace rather than the competent performance of duty by civil servants. It is deplorable that the *coup* also meant a reversal of the process of the gradual modernization and democratization of the socio-political, economic and administrative system of Nepal.

With the *coup*, thus, ended a phase in the country's public administration. It could be said in conclusion that because the politicians showed immaturity and the people showed lack of understanding, grasp and vigilance, Nepal, both politically and administratively, reverted to the old order in December 1960.

<sup>37</sup>Quoted in M S. Jain, *The Emergence of New Aristocracy in Nepal*, Agra, 1972, pp. 20-21.

<sup>38</sup>*Jawaharlal Nehru's Speeches, 1959-1963*, Vol. IV, p. 274.

## Chapter XII

# Concluding Observations and Recent Developments

The analysis of the administrative system of Nepal from 1901 to 1960 indicates that the apparatus and the attitude left by the autocratic Ranas, a decade after the 1950-51 revolution, underwent major changes and reorganization. Yet, some of the forces, factors and attitudes also showed a remarkable quality of resilience. Retrospectively, it may be said that what Nepal needed was a complete break with past administrative apparatus and attitudes; practices and personnel; institutions and indices to change itself from a limited, negative, authoritarian and monocratic administration into a modern, positive and democratic one. In fact, the administrative make-up of Nepalese society was such as to have both forces and factors for change and forces and factors against change. As indicated earlier, the latter forces and factors proved more powerful and the result was the royal *coup* in December 1960. Nepal then retreated to the old order.

As we have so far been concerned with the details of the complexity of the administrative system and situations throughout 1901-60, it may be useful here to spotlight and sum up the main aspects, patterns and trends in the two periods of Nepalese administration—the monocratic period and the democratic period.

### I

The concept of administration as an independent and permanent machinery devoted to the implementation of public policies or the execution of public laws, or as a machinery to execute the public will, that is, public administration, could not develop in Nepal during the Rana period.

It will be remembered that the administration in Rana Nepal,



though unique in many ways, centered round one man, the maharaja prime minister whose word constituted law (*mukhe ain*), who appointed, dismissed and punished civil servants as he liked and who put down any act of moral courage on the part of the officers by his dictatorial power. The Rana administrative system as such furthered individual aggrandisement in pursuance of particularist aims and policies.

Since the whole administration was directed to the satisfaction of one man's whims and wishes, the administrative system developed a tendency for decisions to come from the top. Obviously, the state of morality among the personnel sunk low and corruption became rampant at all levels of the Rana administration. Since the maharaja prime minister was the supreme commander or, to borrow David Apter's phrase, "the command figure at the apex,"<sup>1</sup> the Rana administration was too centralized. Obviously, in such a system, initiative and enterprise were infructuous qualities. Sometimes they were dangerous as well. The result was that the Rana administration in fact was staffed by a small number of nervous men with no decision-making powers.

The nature of any administrative system is determined by, what Michael Curtis calls, "the concerns of government."<sup>2</sup> As already discussed in earlier chapters of this study, the Rana administrative system was distinctly traditional in nature and pattern, and the concerns and commitments of government were much like those of the Mughal administration in India and of the Shogunate administration in Japan. It may be observed here that the Rana and the Shogunate administrative systems were designed to preserve the *status quo*, prevent social change and rule the country more or less like a military dictatorship. Both could be described as centralized feudalism.

Purely from the administrative point of view, it will now be useful to have some concluding observations regarding the main facets of the Rana administrative system during 1901-51. These facets may be identified as administrative commitments; the administrative triumvirate; personalized and centralized administration; the

<sup>1</sup>D.E. Apter, *The Politics of Modernization*, Chicago, 1955, p. 85.

<sup>2</sup>M. Curtis, *Comparative Government and Politics, etc.*, New York, 1958, p. 232.

basic administrative departments; daudaha as an institutional arrangement for central control over district administration; the Rana personnel, the audit and accounts; and the administrative kingpin of the district administration.

Let us begin with the first facet. The Rana administration had few commitments beyond the maintenance of law and order and collection of land revenue and that too at minimum cost. As its main aim was the perpetuation of the system it did not admit of any innovation or radical change. By and large the Rana administrative set-up, covering a long period of time, continued to function, maintaining more or less the same trends till 1951. It functioned as an instrument to carry out the commands of the ruling Rana prime minister and the Rana oligarchy with the king reduced to a nonentity.

Secondly, a study of the central administration of the Ranas leads us to conclude that administratively the first three Rana brothers played a more important role than the other brothers. We have seen how the first brother, who was prime minister himself, concentrated in his hands all executive, legislative and even ultimate judicial authority. Since the time of Chandra Shamsher, the khadga nishana adda, bintipatra niksari adda, munshikhana and gharkaj adda were administered directly by him. The next brother in the line of succession, who was the commander-in-chief or Chief Saheb was the administrative head of the civil administration. As such the muluki bandobast, Kumari chowk, commandari kitabkhana, hazari goswara, adda janch and other offices were directly under him. He was also head of the military, though only in name. The Rana army was in reality directly under the command of the third brother who was the senior commanding general or jangi lat. Since the control of the military was a key to the survival of the Rana system, the jangi bandobast adda, concerned with military administration, was given to the third brother who was next in the line of succession, after the commander-in-chief, to the post of prime minister.

Thus, from the point of view of administration, it may be said that the first three brothers constituted a sort of administrative triumvirate in the Rana administrative system though in reality the whole political system revolved round the first brother.

Thirdly, from a study of the organization and functions of about 15 major and about 57 minor departments of the Rana administration, we may conclude that these addas, goswaras and khanas grew

haphazardly and unscientifically. They performed the tasks allotted to them by the Rana prime minister and the Rana oligarchy within the amount and the staff sanctioned to them for the purpose. The whole Rana administration almost looked like a family affair. In this sense we could say that the Rana administration was too personalized and was meant to serve the interest of only one man and his family.

Administrative control in such a system was naturally highly centralized. There was no delegation of authority. For every details of administration at the centre and in the districts, the officers looked to the Rana prime minister and the commander-in-chief for orders and sanction of authority and expenditure. Thus, all decisions flowed from the centre.

Fourthly, throughout the Rana period in the central administration, five administrative departments constituted the main pillars of Rana administration which were strengthened by another 67 major and minor departments. These five basic departments may be identified as the prime minister's office (khadga nishana adda); the highest judicial office (bintipatra niksari adda); the home office (muluki bandobast adda); the foreign office (munshi khana jaisi kotha); and the military office (jangi bandobast adda).

Fifthly, the Rana central administration kept strict supervision and control over the district administration through the device of daudaha. This institutional arrangement played a very important and crucial role in the Rana administration since the days of Chandra Shamsheer. Perhaps the system of daudaha gained importance under the Ranas; first, owing to the complete absence of communications between Kathmandu and the outlying districts, and secondly because it provided the only means and opportunity to the central administration to exercise its authority and control over the district administration. Thirdly, it enabled the central administration to keep rapport with the people in the districts.

Retrospectively, it is both important and interesting to observe that daudaha as an administrative device was abandoned during the post-revolutionary period. During 1955, however, when King Mahendra wanted to revive it, he met with strong opposition from the political parties and so dropped the idea. But soon after the royal takeover in 1960, the king revived this important Rana administrative institution by appointing 14 tour commissions or

daudahas on 9 February 1961 with wide powers to supervise all government offices including powers to dismiss non-gazetted officers and suspend gazetted officers; to recommend changes in the district administration; to try and dispose of cases in zilla adalats etc. This may be cited as an example of the revival of Rana-associated institutions and practices by King Mahendra after the December 1960 *coup*.

Sixthly, out of the study of the Rana personnel few important conclusions emerge. First, the Rana personnel exhibited a superior authoritarian attitude towards the people. Secondly, because it was essentially a "law and order" administration it had within it a very limited range of skills and very few persons with more than clerical experience. Thirdly, the Rana personnel was CIVIL in nature and therefore military generals or colonels were appointed directors of big administrative departments and as district heads. Fourthly, the high posts were the monopoly of the Rana family. Since others were not trained in administration, the Ranas became indispensable even after their overthrow in 1951. Lastly, the administrative institution of *pajani* which enabled the Ranas to keep their administration trim and efficient and weed out opponents in the yearly scrutiny had also reduced the administration to a network of corruption, jobbery, favouritism and nepotism.

Seventhly, although no budget was ever framed during the Rana regime, it could be said that the financial control through auditing and accounting was very strictly maintained. As such, during the whole Rana period the Kumari chowk office continued as a terror for the various government offices and their employees.

Lastly, regarding the Rana district administration, it may be observed that the functions of the district administration were easy because law and order were maintained with the help of the army, the police and the persistent fear of the Ranas. Moreover, very much like the French prefect, the *bada hakim's* powers and functions had made him the main architect of district administration. Like the French prefect, the *bada hakim* was centrally hired and fired; functioned as a provincial governor; and was over-all in-charge of the total governmental activities in his area. He was the local monarch, the *jang bahadur*, "the administrative kingpin" to borrow Herman Finer's phrase, of the Rana district administrative

system. Local self-governing institutions had obviously no place in the Rana philosophy of government.

However, it goes to the credit of the Ranas that they evolved a pattern of district administration which remained more or less the same until the Local Government Order of 16 December 1965 which divided the country into 14 zones and 75 districts and abolished the old 35 districts and the time-honoured posts of the bada hakims. Of course, during 1951-60, more powers, functions and staff and new dimensions were added to the traditional Rana district administrative system.

Administratively, the foregoing observations lead us to a conclusion that the Rana administrative system was limited, negative and authoritarian, best suited to the interests of a police state.

Turning to the socio-economic political order of Nepal during the *status quo*-oriented Rana administration, we may observe that it remained arrested and static, traditional and archaic suited in Riggsian terminology to a "fused" society.<sup>3</sup> Such a society, according to Riggs, could be called an "Agraria" as against an "Industry" model which is possible in "diffracted" societies (which are usually the modern developing societies). Put to this test, Rana Nepal could be described as "fused" and "Agraria." As a consequence of the fused socio-politico-economic order, Rana Nepal, as late as in 1950-51, lagged at least a century behind many contemporary Asian societies.

It is important to note that the system of granting birtas to the Ranas and their favourites led to the emergence of a powerful landed aristocracy in Nepal which in the post-1951 period resisted any attempt at land reforms. Moreover, these birtawals and zamindars also monopolized the little foreign trade Rana Nepal had with Tibet and India. Below them were the cultivating peasantry, worse than serfs. As a result, no middle class could emerge during the Rana period. The social order was non-egalitarian as it was caste-ridden and hierarchical and governed by Manu's *Dharma-shastra* of the orthodox Hinduism. Politics in such a moribund socio-economic order was kept insulated from the people called "Dunia." A chasm thus existed between the rulers and the ruled as

<sup>3</sup>For theoretical conceptualization see Fred W. Riggs, *Administration in Developing Countries etc.*, Boston, 1964, pp. 23-24.

between Aristotle's master and his slave. Consequently, before the overthrow of the Rana regime in 1951, development in Nepal had been virtually at a standstill for over a century. Worst of all, the Ranas had left in Nepal in the name of communications, 14 miles of electric ropeway, 20 or 30 miles of narrow gauge railway, and 40 to 50 miles of metalled road in the mid-20th century. We could thus say that the Ranas were really not interested in the creation of a socio-economic and political infrastructure, so vital for the development of any country.

In retrospect, it could also be said that the task of creating a new order in Nepal after the 1950-51 revolution, therefore, needed almost Himalayan efforts and Herculean strength. Then only could Nepal change from tradition to modernity.

It also follows from this that most of the difficulties which the democratic administration in Nepal faced during 1951-60 had their origins in Rana Nepal.

Finally, it would be pertinent to say that the collapse of the 104-year-old autocratic Rana regime during 104 days of King Tribhuvan's flight and the people's revolution during 1950-51 leads us to a most instructive conclusion that nothing was perhaps more dangerous in Rana Nepal than the concentration of all powers in a single individual whose word constituted law and who was responsible and accountable to none but himself.

## II

In the face of serious difficulties and unfavourable situations as delineated in the preceding chapters, the achievements of the democratic administration in Nepal during 1951-60 have been impressive indeed.

With the collapse of the Rana regime in 1951 came a turning point in the Nepalese administration. The Constitution of 1951 envisaged a new milieu for the Nepalese administration at all levels and said startling new things about socio-economic and political goals. The structural commitments and assumptions of the administration were enlarged and made more explicit in the 1959 Constitution.

The Nepalese administration did respond to the new situational compulsions and the imperatives of socio-economic planning, budgets, etc. The administrative reforms during 1951-60, in the

midst of political instability and ministerial changes, set up new structures and discarded and dropped many old ones at the central level more than at the district level. However, new dimensions of developmental administration were added to the district and local administration after the revolution. The chasm between the rulers and the ruled, which existed till 1950-51, was bridged during 1951-60 by appointing commoners as prime ministers and other ministers and associating people with the processes of government at the different levels in various capacities.

We may now identify some of the new dimensions added to the Nepalese administration during 1951-60.

The first may be identified as the new commitments of the new administration. We have already seen how the commitments of the Rana administration were those of a negative state and a police state. After the revolution, it had commitments of new development schemes on the pattern of India's first five-year plan. Briefly stated, it had now the commitments of a social service state or a welfare state.

Secondly, with the appointment of a commoner prime minister and other ministers between 1951-59, and those of the popularly elected prime minister and his colleagues between 1959-60, new administrative relationships, practices and behaviour evolved in the internal administration, very different from what it used to be under the Ranas. Moreover, the Nepalese administration experienced for the first time the injection of popular sentiment into its body politic.

Thirdly, Nepalese administration now became purely civil and discarded its CIVMIL character of Rana days, when hierarchical military despotism was extended to the civil administration.

Fourthly, there was fundamental change in the whole ethos of government as now its administration was to operate within the four walls of the Constitution. And the two Constitutions provided a new philosophy as well as a new content to the administration as also a new context in which the latter was enjoined to function.

Thus, it could be said that the revolution had shaken the traditional pattern of Rana administration in a manner without a precedent in the Nepalese administrative history.

In fact, a decade after 1950-51, administratively speaking, Nepal had not one but two revolutions. The first being in 1950-51 which

witnessed the end of the traditional pattern of Rana administration. The second was the ushering of the first elected government of B.P. Koirala in 1959, when for the first time in the kingdom's long and chequered history, public will was formally expressed through a popularly elected pratinidhi sabha to which the chief executive—prime minister—and the whole Nepalese administration were made responsible and accountable. Also, the budget as a tool of financial administration was introduced for the first time.

In general, it may be submitted that during 1951-60, in spite of the limiting factors and challenges, for example, of finance, manpower and physical resources, a system of public administration was created in Nepal for the implementation of policies decided by the politicians. In particular, a new ideology in public administration however came into being in 1959 with what S.E. Finer would call "the accountability of the executive to the Courts and Parliament." In other words, the Nepalese administration during 1959 became for the first time "the agent of public policy and of public will." It will be remembered that during 1951-59 the Nepalese administration was reorganized and modernized, but it was responsible and accountable to the palace in the absence of a parliament. This helped the palace to emerge as an administrative entity in Nepal, though less visible, yet very powerful.

It may also be inferred from the previous facts stated that the new structure of administration in Nepal during this period had to respond to at least six kinds of consequences, situations and impacts.

To elaborate, the structure had to respond to the consequences of the 104 days of the revolution which had badly damaged the traditional administrative machinery in various districts. It goes to the credit of the new administration that it quickly restored law and order and then created a new modern administrative machinery suited to the new democratic political order.

Secondly, the structure had to respond to the consequences of cabinet government and later, party government, which doubtlessly entailed heavier workload on the structure and creation of new ministries and departments.

Thirdly, the structure had to respond to some special situations—the first general elections in the country where 96 per cent illiteracy obtained and where terrain and topography present difficult



problems of transport and communication, law and order; famine in the tarai districts, economic disorders etc.; and Chinese pressure in the northern border areas in July 1960.

Fourthly, the structure had to respond to the people's demand for economic betterment, more share in the administration at the lower levels and a new wave of consciousness. As discussed earlier, the first five-year plan gave priority to development of transport and communications, irrigation and power, and development of agriculture. The administration prepared the country's budget with this end in view and a new development budget was also introduced for the first time. During the Koirala government, with a view to speed up village development and associate people with the local administration, steps were taken to set up a network of 6,500 gaon panchayats.

Fifthly, Nepal was not now a "forbidden land" or a country hermetically sealed against foreigners as the Ranas kept her over a century or the Shoguns kept Japan over two centuries. Nepal was admitted to the United Nations in 1955 and she established diplomatic relations with many countries.<sup>4</sup> The administration had to respond to the new consequences of international commitments and life, diplomatic relations, pressures and lobbies, and transnational aid and inducements as discussed in the preceding pages.

Sixthly, the administrative structure, which was a mystery till then under the Ranas, suddenly opened up to the wide gaze of the people, the politicians, the pressure groups and the press in Nepal and the whole world outside. By and large we could say that the new administration responded well to this kind of consequence also and the democratically elected government of B.P. Koirala was hailed widely both inside and out of Nepal.

In conclusion, it may be observed that the democratic administration during 1951-60 responded admirably to the facts and the consequences mentioned above without getting crumbled in spite of political instability during 1951-59; and assaults on the new administration by the vested interests—the landed aristocracy, a part of the bureaucracy, the disgruntled Ranas and the irresponsible

<sup>4</sup>For details see S.K. Jha, *Uneasy Partners: India and Nepal in the Post-Colonial Era*, New Delhi, 1975. Also Sita Shrestha, *Nepal and the United Nations*, New Delhi, 1974.

Opposition parties during 1959-60.

Purely from the viewpoint of public administration, the emergence of a central secretariat at the Singha Darbar in 1951 with modern ministries, their wings, divisions, departments, and sections; the publication since 6 August 1951 of the *Nepal Gazette*; setting up of the Nepal Public Service Commission in 1951; setting up of the Institute of Public Administration; and the O & M office in 1959 as management-improvement agencies; the creation of developmental administration with a corps of DDOs, BDOs, etc.; and the making of the bureaucracy during the period may be considered as great administrative achievements of Nepal during 1951-60.

We may say that with the setting up of a civil secretariat as the nerve centre of the new administration in 1951, a system of modern public administration started in Nepal. The gazettes gave the Nepalese administration standardized government orders and regulations and to the public an understanding of what the administration was expected to do. The setting up of the Nepal Public Service Commission as a constitutional arrangement for recruitment, promotion, transfer and other disciplinary matters affecting the civil service meant a revolution in the personnel administration left by the Ranas. The setting up of the Institute of Public Administration in 1959, essentially as an in-service training institute, and of the O & M office the same year, for improvements in the organization and methods of administration were great steps towards the emergence of a proper modern administrative system in Nepal. The organizational structure of the Nepalese bureaucracy was created during this period. As a consequence, the bureaucracy expanded greatly in size and its service conditions, salaries, etc. were improved.

It may be further observed that some notable achievements in the district administration during the period included the expansion of the field activities of such central ministries as education, health, forest, agriculture, etc. in the districts; the abolition of the traditional classification of the Nepal districts into A, B and C classes and corresponding classes among the bada hakims; the depoliticization of the district bureaucracy by the Koirala government; the reorganization of the district goswara into different sections; the reorganization of the valley administration under three magistrates and one commissioner; and the reorganization of the

northern border district administration to prevent the Chinese pressure from Tibet. To strengthen the grassroots of democracy, post-1951 Nepal launched a nationwide programme to set up free municipalities in the cities and panchayats in the villages. They achieved reasonable success in the field of local administration as well.

Thus, the central, the district and the local administration underwent major changes and reorganization during 1951-60.

It could also be said that during 1951-60 four new dimensions were added to the Nepalese administration. They may be identified as administrative improvement; integrity; redress of citizens' grievances; and training.

The suggestions for administrative improvements came from both foreign and indigenous sources. Many useful reports were submitted and many of these suggestions were accepted and implemented.

Attempts were also made for the eradication of corruption in the central and district administration. The institutional device of the special police department and special police office and the legislative enactment like the Prevention of Corruption Act and the anti-corruption rules, etc. could be cited as examples of efforts made by the new government to eliminate corruption and bribery.

The constitutional provisions for fundamental rights, an independent judiciary and various writs, etc., and a system of government responsible to the people's representatives, etc. in 1959 added a new dimension to public administration and provided for the redressal of citizens' grievances against administration.

Lastly, the setting up of the Institute of Public Administration may be cited as an example of the recognition of training as a tool of personnel development.

A passing observation may also be made about Indian aid to Nepal. Since 1947, when a panel of Indian legal experts visited Nepal to help the Reform Committee set up by Maharaja Padma Shamsher to frame the Rana Constitution of 1948, India had been pursuing an enlightened policy towards Nepal. Her Himalayan obligations were much more heavy than even Nepal's because of Indian responsibilities towards Bhutan and Sikkim and the Chinese pressure in Chumbi valley after the rape of Tibet and in general the pressure on all these three small Himalayan kingdoms. It could

be said that for much of administrative reorganization and modernization of Nepal, the credit goes to her immediate neighbour, democratic India, which with man, money and materials has been cooperating with the United States, the United Nations, and the Colombo Plan countries to help Nepal to reshape her economy and emerge as a stable, strong and progressive country.

Since 1952, the United Nations became involved in the administrative improvement of Nepal and the UN advisers and the UN-OPEX officers did a good job. But, unfortunately, Nepal could not make their proper use. However, both the Institute of Public Administration and the O & M office were set up and developed jointly by the UN and USAID efforts in Nepal.

However, the administrative make-up of Nepalese society was such that tensions developed between the forces and factors which stood for change and those which stood for *status quo*. The former may be identified as the press; public opinion; progressive political parties, part of the bureaucracy and foreign aid.

It may be useful to mention here that after the revolution according to press kamisan ko riport (1958) some 24 dailies, 30 weeklies, ten periodicals and 40 monthly magazines started being published in Nepal. They may be identified as the press, which served moderately as a forum of public opinion.

A new elite (the college-educated middle class), though in a minority, also emerged in Kathmandu and the tarai districts during 1951-60 and formed many small social and cultural groups, advocating new ideas and changes.

A part of the bureaucracy, which consisted of this new elite had new urge and dynamism. The donor countries, mainly India, the USA and the UN, during this period stood for changes, reorganization and modernization of Nepal to enable her to scrap her age-old poverty and backwardness. Together, these forces and factors stood for change in Nepal.

Unfortunately, these forces and factors did not prove as strong as those which stood for *status quo*. The latter may be identified as the palace, the army, a part of the bureaucracy, and the landed aristocracy.

As a traditional institution, the monarchy received support from the masses, the army, a part of the bureaucracy, which had the old Rana mentality and training, the landed aristocracy, and also

some irresponsible and traditional politicians and the political parties (like the Gurkha Parishad, etc.). We have seen how during direct rule periods the palace secretariat was strengthened and the king developed contacts with the army and the bureaucracy. The masses had hailed King Tribhuvan as a liberator. Some political leaders and political parties had also helped in the re-emergence of the monarchy as a powerful political force in Nepal after 1951. But the monarch, specially King Mahendra, had rather a distaste for democracy. He had filled in the key posts in administration and army with Shahs and Ranas during periods of direct rule. His brothers and other relatives were big landlords and forest contractors. It will be remembered how they stood against birta abolition, forest nationalization, new taxation, and democratic administration of the Koirala government.

The army in Nepal remained the monopoly of the Shahs and Ranas and other traditional families. We have seen how both K.I. Singh and B.P. Koirala met with opposition when they attempted to reform the army. The two kings, after 1950-51, had taken all care to enhance the army's comforts, security, and salary. Naturally, the army remained loyal to the king.

It must be said in fairness to Tanka Prasad Acharya that a legal framework for a democratic, sound and stable personnel administration was laid down by him in 1956 with the enactment of the Civil Service Act and the Civil Service Rules as discussed in Chapter VIII. However, it will be remembered that during direct rule periods the king usually bypassed the Act and rules and without consulting the Public Service Commission had been appointing the chief secretary and other key personnel in the central and the district administration. It could be said that such personnel constituted that part of the bureaucracy which was usually reactionary, had vested interest in land, and in the *status quo*. As stated earlier, the Ranas lost political power, but they were gradually being reinstated by the king in the administration. These old line Rana or Rana-associated civil servants had flourished under the patronage of the king. As was expected, their attitude and behaviour were traditional and undemocratic. We have seen how the royal palace secretariat was their fortress. Under a parliamentary democratic government they naturally felt uncomfortable. So they were against it.

The landed aristocracy remained inimical to all changes and all

progressive measures. The birtawals, the moneylenders, and the wealthy peasants had resisted the Koirala government's progressive measures and aided and abetted violent demonstrations against the elected government. Moreover, the old rajyas and rajautas (about 24 vassal states) which historically continued as a hangover since the days of Prithvinarayan Shah, also stood for *status quo*. They joined the forces of reaction when the first elected government passed an ordinance to abolish these last remnants of feudalism from Nepal. Together, it could be said that all these conservative forces and factors brought tensions for the democratic administration.

Unfortunately, King Mahendra preferred to side with these conservative forces and factors and so he staged the December 1960 *coup*. On closer observation however, it is clear that this royal *coup* was different from other *coups* in Asian countries like Pakistan, Burma, Korea, etc. Although the military was used in this Thapathalli *coup*, it was used only as an instrument of the monarchy. It was not a military *coup* as such. In one sense, therefore, the Thapathalli *coup* meant restoration of absolute monarchy in Nepal. Obviously, the task of the king was easier because of the ancient background of the native absolutism in Nepal. Therefore it was almost "a *coup d'etat*—with coffee and cakes."<sup>5</sup>

Retrospectively, we may say that in administrative terms the royal *coup* meant a dislocation and damage to the democratic administrative system in Nepal. It also meant a reversal to the old order where all powers were concentrated in a single individual who was responsible and accountable to none, and where a tendency had developed for all decisions to come from the top. The political and administrative developments since the December 1960 *coup* substantiate this conclusion. While writing about these developments Goodall observes:

The months following December 15, 1960 witnessed successive political Screenings of the Civil Service, without reference to the Public Service Commission, and the unquestioned ascendancy of the rapidly expanding Palace Secretariat over Singha Darbar, the Civil Secretariat. That ascendancy was confirmed by terms

<sup>5</sup>*Guardian*, London, 24 December 1960.

of the Constitution given the country on December 16, 1969. . . .<sup>6</sup>

And thus it may be submitted that with the royal *coup* of December 1960 ended a phase in the country's public administration and the old order was restored. The Nepalese experience leads us to two useful conclusions—that administrative change, to be successful must be associated with a significant political, social and economic reform. Moreover, it can be effective only if it has high-level political support and enlightened public opinion behind it.

### III

A brief review of some of the important developments since 1960 is attempted in the following paragraphs. A fuller account will be beyond the scope of this study, which is concerned with the period from 1901 to 1960.

In accordance with the royal proclamation of 15 December 1960, King Mahendra assumed the entire administration of the country until new arrangements were made. On 26 December 1960 he appointed a small council of ministers under his chairmanship. The next few months were marked by big administrative shake-ups. In the name of "laying the foundations of true democracy" and "cleaning the country's administration"<sup>7</sup> radical changes were effected in the pattern and personnel of the top hierarchy of Nepal's general administration. The Public Service Commission was ignored and stood suspended.

According to the information received from various issues of the *Nepal Gazette* and newspapers from December 1960 to March 1961, the administrative shake-ups were completed in Nepal in three phases affecting the central administration, the district administration, and the valley administration. During the administrative shake-ups the country's administration saw the dismissal of hundreds of top and middle gazetted and many non-gazetted officers.

<sup>6</sup>M. Goodall, "Administrative Change in Nepal," *Asian Bureaucratic Systems Emergent from the British Imperialism*, R. Braibanti (ed.), Durham, 1966, pp. 613-614.

<sup>7</sup>*Hindu*, 30 December 1960,

Their replacement in key posts was done mostly by army men.<sup>8</sup> The secretariat system, found unsuitable, was replaced by a new set-up in February 1961, of four to five high-powered officers who took over all the civil departments from the existing ten secretaries and executed the supreme command coming from the palace. A new ministry of inspection and supervision was created in February 1961, perhaps to enable the king to personally supervise the various branches of administration. An ordinance issued in March 1961<sup>9</sup> under the Public Security Act called on the privileged land-owning class in the countryside—talukdars, zamindars, jimmawals, kiptias, and patwaris—all government employees, government-aided institutions, civil and military pensioners to arrest persons indulging in anti-government activities and keep their families and dependents loyal to the government. All opposition to the government was, thus, banned.

Thus, the aftermath of the *coup* in administrative terms was that the Nepalese administration lost a good number of skilled and highly trained personnel. Whatever personnel was left had no choice but to follow the safest course of inaction and indecision to retain their jobs. Obviously, the *coup* had done the greatest damage to the country's public administration.

The Institute of Public Administration and the O & M office were also abolished in 1960. Later, in 1962, a public administration department (PAD) was created with advisory and executive responsibilities.

In the field of developmental administration, uncertainty and confusion came with the abolition of the posts of block development officers (BDOs) in February 1961<sup>10</sup> and district development officers (DDOs) in March 1961.<sup>11</sup> They were replaced by new officers called "liaison officers" with no clear-cut objectives or duties.

As indicated earlier, the king revived in February 1961 the old

<sup>8</sup>For example, Major-General Chhetra Bikram Rana was appointed home secretary and Major-General Padma Bahadur Khetri, defence secretary. Brigadier-General Hem Bahadur Gartala was appointed new chief of the Nepal Airlines Corporation. See the *Times of India*, 9 February 1961. Also *Gorkhapatra*, 8 February 1961.

<sup>9</sup>*Hindustan Times*, 8 March 1961.

<sup>10</sup>*Swatantra Samachar*, 23 February 1961.

<sup>11</sup>*Nepal Samachar*, 2 March 1961.



daudaha system of the Ranas and appointed 14 tour commissions each having a chairman, representatives of the military and the judiciary, and a secretary to tour the country and report directly to the palace.<sup>12</sup> They had wide discretionary powers. It is interesting to go through the daudaha report or “vishesh daudaha dalharu ko samchhipta riport” published by the national guidance ministry, HMG Nepal.

King Mahendra had already appointed immediately after the *coup* an unofficial *ad hoc* committee of four top officers of the central secretariat and then, a year later, another committee to draft the Constitution for a new political system which could claim itself to be traditional and democratic and yet allow him to wield absolute power and enable him to consolidate his personal rule. A framework finally evolved, “a partyless panchayat democracy” as outlined in the 1962 Constitution.

A curious amalgam, by piecing together, to quote Leo E. Rose, “certain features of the ‘National Guidance’ system in Egypt and Indonesia, the ‘Basic Democracy’ system in Pakistan, the ‘Class Organization’ system in Egypt and Yugoslavia, and the ‘Panchayat’ system as operative in several Indian States,”<sup>13</sup> was formed into a system called the “panchayat system”. This system in King Mahendra’s words “has its roots in the soil of our country and is capable of growth and development in the climate prevailing in the country. . . .”<sup>14</sup> It was declared superior to the old parliamentary system which was found unsuitable “on account of its being out of step with the history and traditions of the country. . . .”<sup>15</sup> According to King Mahendra, the panchayat system “bears the stamp of the genius of the Nepalese race.”<sup>16</sup>

The panchayats in the 1962 Constitution have been organized on a four-tier administrative structure, more or less, after the “basic democracy” system of Pakistan. The lowest units are the gaun

<sup>12</sup>*Gorkhapatra*, 15 February 1961.

<sup>13</sup>Leo E. Rose, “Nepal’s Experiment with Traditional Democracy,” *Pacific Affairs*, Canada, 1963, Vol. XXXVI, No. 1, p. 17.

<sup>14</sup>Proclamation promulgating the Constitution of Nepal, *Proclamations, Speeches and Messages*, Vol. II, p. 150.

<sup>15</sup>*Ibid.*, p. 149.

<sup>16</sup>Inaugural Address by H.M. King Mahendra at the Conference of Intellectuals, Kathmandu, Narayanhiti Darbar Press Secretariat, 1962.



panchayats (Article 30) and nagar panchayats (Article 31). Above them are zilla panchayats (Article 32) for the new 75 districts. Then there are the 14 anchal panchayats for the new 14 zones. Finally, at the apex, is the rashtriya panchayat (Article 34). It is a unicameral legislature, similar, it could be said, in powers and functions to the rashtra sabha under the 1948 Constitution of Padma Shamsher or to the two advisory assemblies set up during 1951-59.

Paralleling the four-tier panchayat system, the new political set-up also provides for the "class organizations" system for the four tiers.<sup>17</sup> Under this plan, six class organizations have been set up each for the peasants, labourers, women, students, youth and children. Later, the Nepal ex-Servicemen's Organization was also included. Perhaps, the idea behind setting up these class organizations was to keep in check all class conflicts or, in one sense, to win their loyalties to the new set-up. In December 1961 the national guidance ministry was set up with zonal and district committees. In August 1963, the national guidance council was set up with the king as its chairman. It was to guide the class organizations and coordinate their activities, guide the panchayats at all levels, and provide general guidance to the new government.<sup>18</sup>

About the politics of this guided democracy, it may perhaps be frankly said that all the above three institutions under the new political system have been created merely as a subterfuge behind which the monarch wields absolute power and yet to an outside observer the whole facade lands a representative character.

In fact, administration in this guided democracy has leaned heavily on the military and the police, and as Goodall has rightly observed, "reflects primary concern with national security and the control processes of law and order."<sup>19</sup> Curiously enough, the expenditures on social services did not increase much in several fields during the period it recorded decrease.

There is a lot of talk in Nepal today about "administrative decentralization" under the panchayat system. A 14-member Admi-

<sup>17</sup>For recent political developments in Nepal see R.S Chauhan, *The Political Development in Nepal*, Delhi, 1971, and Tribhuvan Nath, *The Nepalese Dilemma*, Delhi, 1975.

<sup>18</sup>*Gorkhapatra*, 26 August 1963.

<sup>19</sup>Goodall, *op. cit.*, p. 632.

nistrative Decentralization Commission was also appointed in May 1963. It submitted its report called "Prashasan Shakti Vikendrikaran Ayog Ko Prativedan" in August 1963. Two of its main recommendations were that the decentralization programme must be implemented on a gradual and phased basis, and that the bada hakims' office be abolished.

The Local Government Order of December 1965 (later "Asthaniya Prashasan Vyavastha Ain," 2022 V.S.) formally implemented the recommendations of the commission. According to this ain (i) the country has been divided into 14 zones and 75 new districts;<sup>20</sup> (ii) the posts of bada hakims have been abolished; (iii) a new cadre of officers designated as "pramukh zilla adhikari" or chief district officer (CDO) has been created for all the 75 districts; (iv) politically appointed "anchaladhish" are to head the zones as commissioners and exercise the security and law and order powers of the former bada hakims; and (v) the decentralization programme is to be implemented on a gradual basis in three phases spread over a period of 12 years. The ministry of panchayat prepared and published in November 1965 the "Guidelines to the Decentralization of Government Functions," outlining the details of preliminary decentralization, "transitory decentralization," and "permanent decentralization." During these three stages, the local government ain promised a gradual transfer of powers and functions to the panchayats depending upon their capacity.

Unfortunately, all these administrative developments have only created confusion both among the new administrators (anchaladhish and CDOs, both centrally appointed and responsible to the centre) as well as among the people.<sup>21</sup> Hence, it could be said that it has not strengthened the panchayats at any level. Curiously enough, during the period 1960-75 there has been more centralization of decision-making at the top in Kathmandu; a more authoritarian attitude towards the people; a general disruption of the democratic administration; and worst of all, lack of confidence,

<sup>20</sup>See map on Nepal Panchayats.

<sup>21</sup>This observation is based on this author's field study in 1967 of the three anchaladhish and eight CDO offices at Bagmati, Gandaki and Narayani Anchals and Richard L. Podol's report, *Problems and Prospects of Administrative Decentralisation in Nepal*, US AID, April 1966, made available to this author by the US AID public administration division at Kathmandu.

initiative and enterprise and a sense of fear and nervousness among civil servants in spite of all good talk and slogans of "administrative decentralization," "panchayat system" and "back to village," etc. These attitudes and trends are obviously making public administration less effective in Nepal.

In reality, since 1960, the development process has slowed down and the slogan of "administrative decentralization" has provided a camouflage for continued and strengthened central control. The net result is that there has been a decline in the country's public administration.

Since the process of administration is closely related to the process of politics, the future of public administration in Nepal is on the whole as uncertain as the future of the king's experiment with the panchayat system. There was a lot of talk in Kathmandu valley in 1967 about King Mahendra's special message to the tenth session of the rashtriya panchayat, on 22 September 1967, through which he had asked the members to give their "impartial appraisal of the present partyless Panchayat democracy." He wanted to know if any alternative system "typical of us" was possible. The rashtriya panchayat had humbly "submitted to His Majesty, the King that there is no alternative to this system." This perhaps gave the king a better chance to enjoy absolute powers through the facade of the panchayat system. As indicated earlier, through the politically appointed anchaladhis and the centrally appointed CDOs, the king had supplemented his personal absolutism with a tight grip over the whole administrative structure. Strangely enough, in the present political set up of Nepal, the whole administration is responsible and accountable to the monarch, though he in turn is responsible to none but himself.

#### IV

King Mahendra, who had given Nepal a new political system, suddenly breathed his last at Bharatpur, 120 miles from Kathmandu on 31 January 1972, following a heart attack. The 27-year-old Crown Prince Birendra, who earlier stood for liberal democracy (at least it was so believed by many Nepalese), was enthroned as the new king.

King Mahendra's disappearance from the political scene of South Asia in general and Nepal in particular undoubtedly ushered in a

a few uncertainties. He certainly established during his 17-year rule a credible Nepalese identity. A certain abrasiveness towards some neighbours was perhaps a necessary part of his political technique and style. King Birendra can easily afford to be more pleasant, not only in Nepalese politics and administration but to his neighbours and also to his own people. In fact, the late king's unconditional release of B.P. Koirala in October 1968, after eight long years of uninterrupted detention without trial, was rightly hailed by the Nepalese and the friends of this small Himalayan kingdom as a step in the right direction. A rapprochement was in sight "between the late king and BP." But the pro-Peking lobby was strong and they succeeded in widening the gulf between the two. It was clear that B.P. Koirala would not join the king's system unless parliamentary democracy was restored. In his view, "the constitution required a drastic change." King Mahendra had reacted. He had switched over to a hard line in both government and politics. This led to a pro-Peking swing in Nepalese administration during the 1969-72 period.

In his first Democracy Day (19 February 1972) message King Birendra gave assurance that "gradual reforms" would be initiated in the panchayat system "in keeping with the changing needs of the changing times." People awaited the "timely reforms" and democratization of administration as promised by the young king. But his later message and speeches made it clear, first, that the king considers partylessness as the indispensable need of Nepal and, secondly, that the panchayat system has proved to be indispensable. Thus, the new king stood for *status quo* and on the side of the hardliners and the no-changers. Vexed over the king's attitude, the pro-changers (including S.B. Thapa) demanded an end of "dyarchy" in the Nepalese administration and immediate constitutional reforms. The king again announced his desire to introduce "step by step" reform in the panchayat system to make it more flexible to accommodate the pro-changers.

Kirti Nidhi Bista, who was appointed prime minister in 1969 after the resignation of Surya Bahadur Thapa, was the most controversial figure and the most troubled one, until he handed over office to Nagendra Prasad Rijal on 17 July 1973. He declared that he could act as a bridge between the king and the people and promised to make the administration "people-oriented." Mean-

while, political activities, including terrorism, had spurt all over Nepal. Hijacking of a RNAC plane, anti-panchayat pamphleteering in tarai towns, slogans for revolution and leaflets for armed insurrection were the manifestations of the people's unrest.

King Birendra charged the politicians, specially B.P. Koirala and his friends, with "loot and arson" and "anti-national" activities.

On 16 March 1974 there was a grenade explosion within a distance of two furlongs during King Birendra's visit to Biratnagar. This was a reflection on Rijal's administration. In May 1974 also there were bomb explosions (including one in Kathmandu in a busy street).

Administratively, N.P. Rijal had many challenges to face. The biggest was the devastating fire at Singha Darbar on 9 July 1973. The prime minister announced a programme for building a new central secretariat and public contribution to the tune of Rs 1.25 crores in response to an appeal by the king had been received.<sup>22</sup> Meanwhile, the various central ministries were shifted to different buildings in Kathmandu.

On 10 November 1974, in a surprise move, King Birendra removed three ministers and reshuffled portfolios of various ministers. Panchayat was given to Damodar Shamsheer Jang Bahadur Rana and defence and palace to prime minister Rajal.

King Birendra warned Nepali Congress leaders who, according to him, were begging pardon and also indulging in terrorism. He said that left to itself, the Nepali Congress was no longer a political force. To this statement of the king, Girija Prasad Koirala reacted sharply and said: "King Birendra claims that the Nepali Congress is not regarded by the Nepalese as a political force, if so, why does he not permit the people to express their opinion freely? Is it not a fact that the Nepalese people have been denied civil liberties and other democratic rights since December 15, 1960, when the democratically elected representatives of the people were arrested and the Government and Parliament dissolved?"<sup>23</sup>

On 9 February 1975, in a major pre-coronation political development, King Birendra, through a royal palace communique, constituted a seven-member Constitutional Reforms Commission

<sup>22</sup>*Times of India*, 18 July 1973.

<sup>23</sup>For the text of this letter of G.P. Koirala, see *Statesman*, 20 March 1974.

headed by former supreme court chief justice, Aniruddha Prasad Singh. The commission represents the interests of all major political parties of the kingdom before they were banned. The other members of the commission are Kirti Nidhi Bista (former PM), D.P. Adhikari (Maoist), Shil Bhadra Sharma (former Nepali Congress General Secretary), and Ram Hari Sharma (Praja Party leader). Dr Mohammed Mohsin, chairman of the Go to Village National Campaign Committee is *ex-officio* member-secretary of this commission. The commission has been set up "to discuss and recommend appropriate constitutional reforms"<sup>24</sup> in the kingdom's partyless panchayat system.

However, it remains to be seen as to how the commission could assess the thinking of various political groups on constitutional reforms.

On 25 May 1975,<sup>25</sup> four class organizations (Nepal Peasants Organization, Nepal Labour Organization, Nepal Women's Organization and Nepal Youth Organization) functioning under the panchayat system have urged for "political reforms" so that "democracy may be strengthened in Nepal" and people enjoy fundamental rights. Among their seven demands for consideration of the Constitutional Reforms Commission, the most important are the demands for election to the Rashtriya Panchayat on the basis of adult franchise, that the council of ministers be made "answerable" to the people and that the proceedings of the rashtriya panchayat be thrown open to the public and the press.

On 26 May 1975,<sup>26</sup> B.P. Koirala expressed concern over growing Chinese Communist influence in Nepal. While speaking to newsmen at Gorakhpur he said "if the Government and people of India did not strengthen the democratic forces in Nepal, one fine morning they would find China had occupied Nepal by default." The former prime minister also said that what he wanted was no removal of kingship in Nepal but establishment of democratic institutions. If in that process the king was swept off he could not mind.

Koirala's concern has been shared by many sections and groups

<sup>24</sup>*Searchlight*, 10 February 1975.

<sup>25</sup>*Indian Nation*, 27 May 1975.

<sup>26</sup>*Ibid.*, 28 May 1975.



in Nepal, although HMG took no time in immediately denying the increase of pro-Chinese influence in Nepal.<sup>27</sup>

King Birendra expressed his hope that the Royal Commission on Constitutional Reforms in Nepal's partyless panchayat system may submit its report earlier than scheduled.<sup>28</sup> He has also come out with the "peace zone" concept that as Nepal wants to live peacefully for the sake of its development, it aspires naturally to be declared a zone of peace.<sup>29</sup>

The politics of Nepal has thus been stirred by these developments and clash of two important Nepalese personalities—B.P. Koirala and King Birendra. These developments have come in the wake of the strain in Indo-Nepalese relations over developments in Sikkim which has now become the 22nd state of the Indian Union.

It may be observed<sup>30</sup> that there is a vacuum created in Nepal by the total absence of organized political power. The need of the hour in Nepal is to realize the fact that nothing would be more dangerous than concentrating powers in a single individual and that collective decisions give a guarantee that powers shall not be abused. Moreover, it must also be realized that active popular participation in the affairs of the government cannot be denied to the people indefinitely. Furthermore, it may also be realized in John Dewey's word that "there has never been an autocrat, big or little, who did not justify his conduct on the ground of the unfitness of his subjects to take part in government."

However, it is not proposed to make here a prediction about the future direction of public administration in Nepal as there are too many unknowns and the situation is in flux. King Birendra's setting up of the Constitutional Reforms Commission to recommend appropriate changes in the Constitution of Nepal's partyless panchayat system is timely and certainly indicates that he has an open mind on the question of reforms in the system.

Who knows this last development is a pointer to the fact that

<sup>27</sup>For Nepalese ambassador to India, K. B. Malla's statement see *Times of India*, 30 May 1975.

<sup>28</sup>*Ibid.*

<sup>29</sup>*Ibid.*

<sup>30</sup>Indeed, insights from the study of the administrative system of Nepal may be of significant use in studying the development of public administration in other developing countries in Asia, Africa and Latin America.

the panchayat system, which is the Nepalese version of guided democracy, will, in a short time, make room for a system which will transfer power to the people's representatives and revive an administrative system suited to such a democratic political order, which could fulfil the unachieved goals of the two revolutions in less than a decade in Nepal during 1951-60? If it is really so, then there will be no use fretting about past performance; what will be needed will be a forward looking approach.

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## SECTION 1—UNPUBLISHED MATERIALS

### A—KHADGA NISHANA SANADS AND SAWALS (RESTRICTED), NEPALI (IN ORIGINAL) MINISTRY OF LAW RECORDS, HMG NEPAL\*

<i>V.S.</i>	<i>Title</i>	<i>Document No.</i>
1959	Gorkha Mal Ko Sawal	1
1960	Muluki Bandobast Sawal Ko Kitab	2
1961	Purva Pachhim Daudaha Sanad Sawal	5
1961	Sheoraj Mal Ko Sawal	7
1962	Faras Khana Ko Sawal	8
1963	Pani Goswara Ko Sawal	11
1963	Kausi Tosakhana Ko Khadga Nishana Sawal	12
1963	Hukum Marji Ko Tharo Pramangi	15
1964	Pahad Bandobast Sawal	18
1964	Khani Sanad	21
1965	Doti Ra Achham Mal Ko Sawal	27
1967	Pota Adda Sawal	42
1967	Adektar Ka Nau Ma Sawal	43
1967	Singha Darbar Gharkaj Adda Sawal	52
1967	Singha Darbar Nagadi Adda Sawal	55
1968	Chandrabati Bijuli Goswara Ko Sawal	66
1968	Udaipur Hulak Goswara Sawal	67

\*This list includes only those *sanads* and sawals which have been used in this study.

<i>V.S.</i>	<i>Title</i>	<i>Document No.</i>
1968	Jailkhana Kaidi Talim Karkhana Khadga Nishana Sanad	69
1969	Chandrabati Bijuli Goswara Ko Niyam	82
1969	Jailkhana Ko Sawal	84
1969	Shri Chief Saheb Ko Nau Ma Bhaiye Ko Khadga Nishana Sanad	92
1970	Maskewari Janch Ko Sawal	97
1970	Adda Janch Ko Sawal	98
1971	Kitab Khana Ko Darshan Phant Darta Phant Sawal	111
1971	Birganj Khajhani Zilla Police Sawal	113
1971	Engineer Adda Ko Sawal	114
1971	Singha Darbar Jinsi Adda Sawal	116
1972	Telephone Adda Sawal	127
1973	Birganj Police Sawal	138
1973	Commandari Kitab Khana Darshan Ra Darta Phant Ko Sawal	139
1973	Tejarath Adda Ko Sawal	143
1974	Munshi Khana Jaisi Kotha Sawal	169
1974	Kathmandu Hulak Goswara Sawal	172
1974	Engineer Adda Ko Sawal	175
1976	Municipal Office Ko Sawal	189
1976	Zilla Police Inspector Ko Sawal	190
1976	Kadel Chowk Adda Ko Sawal	191
1976	Pass Janch Adda Ko Sawal	192
1976	Public Census Sanad	193
1977	Jangi Bali Talab Sawal	202
1978	Telephone Adda Sawal	217
1978	Saraf Khana Sawal	219
1978	Tirja Adda Ko Sawal	223
1978	Singha Darbar Jinsi Adda Sawal	236
1978	Bharadari Char Phant Sawal	238
1978	Shresta Kausal Sawal	242
1978	Municipal Office Ko Sawal	248
1980	Jangi Bandobast Khadga Nishana Sanad	259
1980	Muluki Bandobast Adda Sambandhi Bant Phant Ko Sawal	260
1980	Shri Kumari Chowk Naya Bandobast Sawal	263
1980	Pipa Goswara Sawal	264
1981	Nepal Hatisar Goswara Sawal	275
1981	Basantpur Faras Khana Sawal	278
1981	Goth Goswara Sawal	279
1981	Goswara Tahvil Naya Sawal	281
1981	Zilla Police Inspector Sawal	286
1981	Nizamati Hazari Goswara Sawal	288
1982	Pass Janch Adda Ko Sawal	303
1982	Adda Janch Shresta Ko Sawal	304
1982	Bato Kaj Adda Sawal	306
1983	Adda Janch Shresta Naya Sawal	316

<i>V.S.</i>	<i>Title</i>	<i>Document No.</i>
1984	Shri Kumari Chowk Naya Sawal	339
1985	Telephone Adda Ko Sawal	355
1985	Bara, Parsa, Rautahat Chowki Police Sawal	361
1985	Tejarath Adda Ko Naya Sawal	365
1985	Registration Adda Naya Sawal	378
1985	Khajhani Sheoraj Chowki Police Sawal	379
1985	Police Inspector Office Naya Sawal	381
1986	Panch Bishaya Guru Dharmadhikar Tarkraj Ko Nau Ma Akhtiyari Sanad	401
1986	Commanding General Mohan Shamsher Ko Akhtiyari Sanad	402
1987	Panchayat Sanad	411
1987	Appeal Niksari Adda Sawal	416
1987	Chhemdel Adda Sawal	418
1987	Rakam Bandobast Naya Sawal	420
1987	Tejarath Adda Ko Sawal	434
1988	Bintipatra Niksari Sawal	457
1988	Hazari Goswara Sawal	458
1988	Jail Khana Pahilo Dusro Sawal	459
1988	Goth Goswara Naya Sawal	460
1988	Pahad Adalat Bandobast Naya Sawal	476
1989	Kausi Tosa Khana Naya Sawal	483
1989	Nepal Museum Ko Sawal	491
1989	Municipal Naya Sawal	499
1989	Sadar Taksal Adda Ko Sawal	510
1989	Agriculture Sanad	519
1989	Nepal Trading Corporation Sawal	525
1990	Sadar Muluki Khana Ko Sawal	552
1990	East Militia Goswara Sawal	563
1990	West Militia Goswara Sawal	564
1990	Purva Hulak Goswara Darbandi Sawal	599
1990	Pachhim Hulak Goswara Darbandi Sawal	600
1991	Madhes Goswara Ko Sawal	605
1991	Pahad Goswara Naya Sawal	609
1991	Police Goswara Sawal	613
1991	Telephone Adda Ko Sawal	621
1991	Kathmandu Chhemdel Adda Sawal	628
1991	Jangi Adda Jangi Bandobast Naya Sawal	629
1991	Shri Vanijya Vardhak Udyog Pari Samsthan Sawal	634
1991	Bhansar Ko Naya Darbandi Naya Sawal	637
1991	Shresta Appeal Sawal	643
1992	Gorkhapatra Press Naya Sawal	670
1992	Jawlakhel Chidiyakhana Sawal	678
1992	Madhes Mal Ko Naya Sawal	696
1992	Bethari Police Inspector Sawal	697
1992	Gaunda Ko Sawal	709

V.S.	Title	Document No.
1993	Muluki Adda Naya Sawal	720
1994	Krishi Parishad Sawal	758
1994	Juddha Varun Yantra Adda Tok Sadar Sanad	766
1995	Purva Pachhim Daudaha Sawal	798
1995	Census Goswara Ko Nau Ma Sawal	811
1996	Gharelu Adda Sanad	822
1996	Jhapa Chhoti Goswara Sawal	823
1996	Raj Bandhaki Ko Sawal	824
1996	Gharelu Ilam Prachar Bibhag Sawal	829
1996	Madhes Mal Darbandi Sawal	830
1998	Kumari Chowk 6 Phant Ko Sawal	863
1998	Nepal Museum Ko Sawal	864
1998	Naya Muluk Inspector Sawal	886
1998	Madhes Mal Ko Sawal	890
1998	Nepal Bureau of Mines Sawal	891
1998	Samar Jang Company Ko Sawal	897
1999	Khadga Nishana Sanad	903
2000	Madhes Thana Chowki Daudaha Sanad	914
2002	Banaspati Goswara Sanad Sawal	957
2003	Nepal Police Superintendent Office Sawal	974
2004	Khadya Parishad Sawal	990
2005	Nizamati Bali Talab Adda Tok Sadar Sanad	1016
2005	Shri 3 Mohan Akashvani Sawal	1021
2006	Madhes Adektar Sanad	1031
2006	Jangi Adda Sawal	1037
2007	Panchayat Sanad Sawal	1060
2007	Sadar Taksal Adda Sawal	1061
2007	Shri 3 Mohan Hawaii Adda Vibhag Sawal	1065

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