

Regmi Research (Private) Ltd.  
Kathmandu: December 31, 1984.

Regmi Research Series

Cumulative Index for Year 16, January-December 1984.

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Regmi Research (Private) Ltd.

ISSN: 0034-348X

Regmi Research Series  
Year 16, No. 1

Kathmandu, January 1984

Edited By

Maresh C. Regmi

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### Jute Cultivation in Nepal

Jute was cultivated in the eastern Tarai region of Nepal during the early nineteenth century. This is proved by its inclusion in the schedule of land tax assessment rates.

Such rates, prescribed for the Fatteharipur Parganna of Morang in A.D. 1808, were as follows:-

<u>Crop</u>	<u>Rate of Tax</u> (per bigha) Rs /annas.
<u>Aansu</u> (?)	2 - 7
Paddy (on old lands, or <u>paha</u> )	4 - x
Paddy (on newly-reclaimed lands, or <u>khila</u> )	2 - 4
Mustard ( <u>tori</u> )	3 - 1
Garden crops (tarkari)	4 - 9
Jute (patuwa)	3 - 11
<u>Rabi</u> crops	1 - 10½
Cotton ( <u>bangra</u> )	2 - 11
Sugarcane	4 - 11

(Marga Badi 1, 1865/November 1808, Regmi Research Collection Vol. 36, pp. 184-85).

There is no evidence, however, that jute, or jute goods, were exported from Morang during the early nineteenth century. They find no place in the list of Morang's exports to the adjoining Indian district of Purnea in 1809-10 as given by Francis Buchanan (Hamilton) in his Purnea Report (Patna: Bihar and Orissa Research Society, 1928, pp. 556-76).

Jute cultivation in Morang district for the purpose of export probably started during the late 1850s or the early 1860s. William Wilson Hunter, in his book, The Indian Empire: Its People, History and Products (London: W.H. Allen & Co., 1893, pp. 674-75) writes:

From time immemorial, jute has been grown on the swamps of Eastern Bengal, and has been woven into coarse fabrics for bags and even clothing. As early as 1795, Dr. Roxburgh called attention to the commercial value of the plant, which he grew in the Botanical Gardens of Calcutta, and named 'Jute' after the language of his Orissa gardeners, the Bengali word being pat or Koshra. In 1828-29, the total exports of jute were only 364 cwts, valued at £ 62. From that date the trade steadily grew, until in the quinquennial period ending 1847-48, the exports averaged 234,055 cwts. The Crimean war, which cut off

the supplies of Russian flax and hemp from the Forfarshire weavers, made the reputation of jute. Dundee forthwith adopted the new fibre as her speciality, and the Bengal cultivators as readily set themselves to meet the demand. "India's jute exports rose from an average of 969,724 cwts in the 1850s to 11,985,967 cwts in 1890-91."

In Purnea district, "fibres are cultivated to a considerable extent ... and jute constitutes one of the most important exports .... In the years 1872-73, about 15,000 acres were cultivated with jute . . . Previous to 1867 there was scarcely any jute cultivation in the District, but in that year it received an impetus from the great demand for gunny bags." (William Wilson Hunter, A Statistical Account of Bengal, Vol. XV. Districts of Monghyr and Purniah, London: Trubner & Co., 1877, pp. 290-91.

By the early years of the twentieth century, jute was being cultivated "in small but increasing areas" in Assam and Nepal. (The Imperial Gazetteer of India, Vol. III, Oxford: Clarendon Press, 1908, p. 47).

The gradual extension of the area under jute was by no means surprising, because jute:

is not a rival of rice, but a subsidiary crop, from which the cultivator makes a certain additional income in hard cash.

(Hunter, The Indian Empire p. 590).

Jute can be grown with advantage upon land on which late rice would fail, and which, after the crop has been reaped, can be sown with mustard, and, in some cases, with early rice . . . The cultivation has not had the effect of decreasing the amount of cereals or other crops, but has been the cause of more land being brought under cultivation.

(Hunter, A Statistical Account of Bengal, Vol. XV. pp. 292-93.

Jute and jute goods were exported from Morang through Purnea.

In Purnea district, "The trans-frontier trade with Nepal is carried on by carts, coolies, and pack animals, the principal imports from Nepal being rice and paddy, jute, gunny bags, mustard seed, and timber . . ." (The Imperial Gazetteer of India, Vol. XX, Oxford, Clarendon Press, 1908, p. 417).

From Purnea district, "Jute is exported to the large markets near Calcutta, or is sent up-country to Mirzapur, generally by water, although when trade is brisk the railway is preferred . . . The quantity of jute, either raw or in the form of gunny bags, exported annually from Purnia District, is estimated at 200,000 mans."

(Hunter: A Statistical Account of Bengal, Vol. XV, p. 292).

Jute "is received direct from the cultivators, under advances by the goladars, or agents for the Bhadrashwor, Calcutta, or Mirzapur merchants, and is by them shipped to its destination. In the northern part of the District, two-thirds of the rayats cultivate jute more or less, and in the south perhaps one-fourth." (Ibid, p. 293).

In 1875, Nepal's exports to India through Arariya and Krishnaganj included the following:-

Arariya

Raw fibers	. . .	11,472 maunds
do. manufactured	. . .	£ 275 - 10s - od.

Krishnaganj

Jute	. . .	17,150 maunds
Gunny	. . .	34,600 maunds.

(Hunter, The Indian Empire, pp. 380-81)

During 1894-95, the Rana government made an attempt to introduce jute (san) cultivation in Banke district of the far-western Tarai (Naya Mulak) region.

On Magh Badi 9, 1951 (January 1895), Prime Minister Bir Shumshere sent an order to Major Captain Jit Bahadur Khatri Chhetri, Chief of the Naya Mulak Bandobasta Adda, to make arrangements for jute cultivation on 300 or 400 bighas of land in the four districts of the far-western Tarai (Naya Mulak) region and to spend not more than kampani Rs. 400 for the project.

On Falgun Sudi 5, 1951 (February 1895), Major Captain Jit Bahadur Khatri Chhetri sent an order to Subba Siddhibir, Chief of the Banke Mal (Revenue) Adda, directing him to spend an amount not exceeding Kampani Rs. 100 for jute cultivation on a compact area of at least 100 bighas. The Subba was warned that he would be held personally liable if the project resulted in any loss to the government.

However, Siddhibir was unable to locate a compact plot of 100 bighas near existing villages in Banke district for the project. Nor was he able to procure jute seeds in the district. He, therefore, directed the following Chaudharis to cultivate jute on a total area of 100 bighas near cultivated moujas and submit statements of the expenses:-

1. Chaudhari Mishri Tharu of Rajahat
2. Chaudhari Ram Sarup Tharu of Udain
3. Chaudhari Madhav Ram Ahir of Udain

These three Chaudharis later reported: "Because we were unable to locate compact plots near cultivated moujas for the purpose of jute cultivation, and because yields would not be satisfactory if the crop was sown on dispersed plots of waste lands, we made arrangements for such cultivation on cultivated lands in specified moujas on b. caiya (share-cropping) basis, subject to the condition that the land tax is remitted."

A total area of 30 bighas was thus brought under jute cultivation in Banke district in the year A.D. 1895.

The crop was harvested in the month of Marga 1952 (A.D. 1895). Output totalled 16 maunds and 2½ sers, of which half, or 8 maunds and 1½ sers, was appropriated as rent.

The breakdown was as follows:-

Through Chaudhari Mishri Tharu in Rajahat	. . . 3 maunds and 10 <u>sers</u>
Through Chaudhari Ram Swarup Tharu in Udain	. . . 3 maunds and 30 <u>sers</u>
Through Chaudhari Madho Ram Ahir in Udain	. . . 1 maund and 1½ <u>ser</u>
Total	8 maunds and 1½ <u>sers</u> .

The annual land tax payable on the lands thus brought under jute cultivation was as follows:-

Chaudhari Mishri Tharu	... Rs. 7 and 9½ annas
Chaudhari Ram Sarup Tharu	... Rs. 1 and 7 annas
Chaudhari Madho Ram Ahir	... Rs. 3 and 3 annas
	Rs. 12 and 3½ annas

The Banke Mal Adda requested sanction for the following:-

- (1) To sell the jute by auction to the highest bidder, and
- (2) To remit the tax of Rs. 12-3½ on the 30 bighas of land brought under jute cultivation.

The Naya Milak Bandobasta Adda then arranged for the sale of jute by auction at the rate of 23½ sers a rupee, the total proceeds amounting to Rs. 13-8½. The net return, after deducting the land tax (Rs. 12-3½) thus amounted to Rs. 1-5½. It forwarded the request for remission of the land tax to Kathmandu.

Sibba Dharmadatta Upadhyaya (of the Milaki Adda) recommended that remission be granted. The recommendation was endorsed by Prime Minister Bir Shumshere on Marga Badi 7, 1954 (November 1897).

Six Unpublished Letters of  
Crown Prince Pratapa Simha

Dinesh Raj Panta, "Yuvaraja Pratapa Simha Shahale Shrikrishna Pathakalai Lekheka Chha Aprakashita Patra" (six unpublished letters written by Crown Prince Pratap Simha Shah to Shrikrishna Pathak), Purnima, No. 54, Chaitra 2039 (March 1983), pp. 1-3.

A summary of six letters addressed by Crown Prince Pratap Simha Shah to Shrikrishna Pathak is given below. Copies of these unpublished documents are available at the Ministry of Foreign Affairs (Envelope No. 48).

(1) We have granted khet to Faudya, 60 muris to singya, and 80 muris to Sahiman as jagir. These are not ordinary attendants. Allot these lands in Gougal and Pudol. These persons will not be able to go there frequently. You must therefore look after these lands. Kirtipur, Wednesday, Ashadh Badi 5, (Srawan 3), 1824 Vikrama.

(2) Permit 8 pathis of salt, purchased for 4 siccas, one bunch of bananas, and 4 jackfruits belonging to ... Laxmi to pass through (checkposts) in Sindhure-Ghat, Barmandi, and Jinpur up to Kathmandu. Do not let them be held up on the way. Thursday, Bhadra Badi 11 (Aswin 5), 1824 Vikrama.

(3) The Navanna ceremony is being observed on Kartik 26, (1824 Vikrama). Supply 2 jars of ghee, 4 jars of oil, one large and fat gelded goat, and a large quantity of vegetables so as to reach the palace by Kartik 24. Monday, Kartik Sudi 4 (Kartik 13), 1824 Vikrama.

(4) We have gifted a good slave girl to Jayananda Newar. Find the slave girl somewhere and hand her over to him immediately. Saturday, Magh Badi 4 (Magh 27). 1824 Vikrama.

(5) Arrive here today along with all supplies needed for sowing. Tuesday, Ashadh Sudi 13 (Ashadh 19), 1825 Vikrama.

(6) The bosis of Swanagaun only cut timber, they do not saw it with the falasi. You are therefore ordered to send four skilled bosis from Kagatigaun who can saw timber with the falasi. Make no delay. Nuwakot: Wednesday, Bhadra Sudi 10 (Aswin 9), 1825 Vikrama.

The Palpa Mint

During Vikrama 1936-37 (A.D. 1879-80), the Palpa mint was operated through the amanat system under Subba Nanda Raj Gurugharana Pandit. In that year:-

(1) The Palpa Mint converted into Gorakhpuri coins a total quantity of 2,547 dharnis of copper supplied by individuals for that purpose. It charged a fee of 8 annas a dharni. The total revenue from this source amounted to 17-ganda mohar Rs. 1,273-8 or 12-gandi Gorakhpuri Rs. 1,804-2½.



(2) In addition, 175 dharnis of copper were converted into coins on government (amanat) account. This included approximately 171 dharnis purchased for Rs. 405-15 at the rate of Rs. 2-5¼ a dharni from individuals who were not willing to have the metal converted into coins on their own account on payment of the prescribed fee. Total value of coins minted: Gorakhpuri Rs. 733 weighing 162-2¼ dharnis, after allowing for depreciation at the rate of 1-16 dharnis for each 24 dharnis.

Source: Original royal-seal document granting clearance to Subba Nanda Raj Gurugharana Pandit, Chief of the Palpa Mint, for the Vikrama year 1936-37 (A.D. 1879-80).

### Bichhakhori

Regmi Research Series (Year 15, Nos. 11-12, November-December 1983) contained some notes on "Land Reclamation and Resettlement in Bichhakhori."

Prime Minister Chandra Shumshere changed the name of Bichhakhori to Amlekhgunj, according to an order issued through the Commander-in-Chief General Bhim Shumshere Jung Bahadur Rana, on Ashadh 1, 1986 (June 15, 1929).

Regmi Research Collection, Vol. 28, P. 444.

### On Nepal-Tibet Trade

Surya Prasad Padhya, a resident of Listi in Sindhupalchok district, submitted the following petition to Prime Minister Chandra Shumshere:

"A tax of 24 paisa is collected at the Tatapani Customs from each person (dhakre) who visits Tibet. At the Listi Customs, a tax of 7 paisa is collected on each load. At the Gati Customs, a duty of 2¼ paisa is collected on each load of foodgrains. The local people have been paying these taxes and duties. However, the inhabitants of nine villages in the area claim that they have been exempted from payment. In case I am granted a three-year contract for the collection of these taxes and duties from these nine villages, I hereby undertake to pay Rs. 301 in the first year, and Rs. 401 each in the second and third years, thus making a total payment of Rs. 1103 during the three-year period."

The petition was referred to the East No. 1 (Ghungthang) Jangi Parath. It submitted the following report.

"Formerly, the inhabitants of twelve villages, including Listi, had been granted exemption (from payment of customs duties) in consideration of the

porterage services provided by them in transporting supplies to and from Kathmandu in connection with government cattle farms and hunting expeditions. Such porterage services are no longer needed; hence customs duties must now be collected from them.

Prime Minister Chandra Shumshere accepted this recommendation, and ordered that necessary arrangements be made to collect duties from the inhabitants of the twelve villages under ijara or amanat, as appropriate.

The Kodari Customs Office, to whom this order was sent, was unable to locate the petitioner, Surya Prasad Padhya.

Meanwhile, Nhuchhe Narayan Manandhar offered to pay 50 Paisa percent more than the amount stipulated by Surya Prasad Padhya if the services of two peons from the Kodari Customs Office were made available to him for the first year.

First offers were then invited, and Shiva Shanker Padhya offered to pay 5 percent more for a three-year ijara.

On Poush 3, 1968 (December 18, 1911), Prime Minister Chandra Shumshere approved Shiva Shanker Padhya's bid, subject to the condition that the services of government peons would not be made available. Otherwise, he ordered, the duties should be collected through government employees on amanat basis.

Siddhi Lal, a resident of Nhaikantala in Kathmandu, then offered to raise the amount by yet another 5 percent.

Naib Subba Khadananda Upadhyaya of the Kathmandu Amanat Goswara Bhansar (Customs) then suggested that until a decision was reached on these offers, the Kodari Customs Office be ordered to collect customs duties from the inhabitants of the twelve villages on amanat basis as an ad hoc arrangement. Prime Minister Chandra Shumshere approved the suggestion.

Particulars of these twelve villages were as follows:-

1. Villages which had been exempted from payment of the Head Tax (Thal Rakam) (at Tatapani)

- |                |               |
|----------------|---------------|
| 1. Duguna      | 2. Dharapani  |
| 3. Dhangsing   | 4. Kambu      |
| 5. Salangkatte | 6. Navanthani |
| 7. Tatapani    | 8. Phulping   |
|                | 9. Bharbhing  |

2. Villages which had been exempted from payment of the tax of 7 paisa (at Listi on each load)

1. Kanglang

2. Bagang

3. Pradhan

Rate of Duties

1. The Thal rakam (head tax) shall be collected at the Tatapani Customs at the rate of 24 paisa according to the prescribed schedule from each inhabitant of the nine villages mentioned above who travels to Kuti.
2. A duty of 7 paisa per load of salt shall be collected at the Listi Customs according to the prescribed schedule from each inhabitant of the three villages mentioned above.
3. At the Gati Customs, the inhabitants of all these (twelve) villages shall pay duties at the following rates:-

<u>Commodity</u>	<u>Rate of Duty</u>
Maize ...	2 $\frac{3}{4}$ paisa per load or 1 paisa per <u>gunta</u> (?)
wheat, <u>Karuwa</u> (millet) ...	1 $\frac{3}{4}$ paisa per load
wheat ...	2 $\frac{3}{4}$ per <u>gunta</u> (?)
Buckwheat ...	1 $\frac{3}{4}$ paisa per load
crushed rice ...	2 paisa per <u>gunta</u> (?)
Rice ...	2 $\frac{1}{4}$ do.
soybean or millet flour ...	1 paisa do.

The order added, "Monthly statements of revenue collected from these duties shall be submitted to the Kathmandu. Amanat Goswara Bhansar, and particulars of collections every three days by post. The proceeds of such collections shall be remitted to the Kathmandu Amanat Goswara Bhansar.

Jestha 24, 1969 (June 7, 1912)

Regmi Research Collection, vol. 78, pp. 750-58.

Some Reform Measures of Prime Minister  
Chandra Shumshere

(Abstracted from: K.D., "Maharaja Chandra Shumshere Ko Abhinandana" (Felicitations to Maharaj Chandra Shumshere), Nepali (quarterly), No. 85, Kartik-Poush 2037 (October-December 1980), pp. 2 and 37-59).



On August 27, 1908, Prime Minister Chandra Shumshere returned to Kathmandu after completing a five-month visit to England. Senior members of the Rana family held a function to celebrate the occasion, at which an address of felicitations was presented to the Prime Minister. The address was enclosed in a casket of gold and silver, in which the following words were inscribed in the English language: "Presented to/His Highness Maharaja Major General/Sir Chandra Shumsher Jung Bahadur Rana/G.C.B., G.C.S.I., D.C.L./Honorary Colonel of the Fourth Gurkhas,/Thong Lin Pim Ma Ko Kang Hang Syan,/Prime Minister & Marshall of Nepal/By the Shumsher Family."

The address lists a number of social and economic reform measures undertaken by Prime Minister Chandra Shumshere since he assumed power on June 26, 1901. A summary of these measures is given below:-

#### 1. Hospitals

Hospitals have been opened in Bhadgaun, Bhimphedi, Palpa, and Doti.

#### 2. Bridges

Steel bridges have been constructed at 17 places with materials procured from England, and 56 old bridges have been renovated.

#### 3. Water Supply

Water supply schemes have been implemented in Patan and Dhankuta.

#### 4. Administrative Reforms

A new accounting system has been introduced in government offices all over the country. Arrangements for inspection and training have been approved. Existing offices have been organized, and new offices have been created. A new building has been constructed so that all government offices may be accommodated in one place. The use of the solar calendar has been introduced.

#### 5. Remission of Arrears

Old arrears of payment due to the government totalling Rs. 3,218,048.58½ have been remitted.

#### 6. Irrigation and Land Reclamation

Dams, irrigation canals, and tanks have been constructed at several places. Regulations have been enforced according to which taxes will be remitted on lands used for the construction of tanks.

Forest areas in Morang, Kailali, Kanchanpur, Surkhet, Samari, Trijuga, and elsewhere have been opened for reclamation and settlement. Arrangements have been made to

remit land taxes on such newly-reclaimed lands for four years, five years, or ten years, and (a part of the reclaimed area) has been granted as birta (on a tax-free basis). Loans have been supplied, and arrangements for housing made, (to settlers in) Pokhara and Butwal. Food stocks (dharmabhakhari) have been maintained in several districts to meet shortages in times of drought. Food was supplied to the local people from these stocks when drought occurred in Bara and Parsa last year and in Butwal and the Naya Muluk (far-western Tarai) region this year.

#### 7. Rents and Tenancy Rights on Birta Lands

Formerly, birta owners had the right to increase rents or evict their tenants at any time, even though the tenants may have been occupying such lands for generations. Legislation has now been enacted under which birta owners are allowed to charge rents only on the basis of rates current on (state-owned) raikar lands. Occupancy rights on birta lands have also been protected in the same manner as on raikar lands.

#### 8. Procurement of supplies

Formerly, provisions needed during tours of the Prime Minister, or of local administrators (amala) as well as goats and buffaloes needed for sacrificial purposes during the Dashain festival, used to be requisitioned from the local people without any payment. At times, people were even forced to purchase such supplies and deliver them through long distances at their own cost. Such practices have now been banned. Local administrators have been ordered to purchase provisions in the market. People have been freed from the obligation to supply goats and buffaloes free of cost during the Dashain festival.

#### 9. Abolition of Taxes

- (a) The tax collected in Kathmandu, Patan, and Bhadgaun from vendors of yoghurt has been abolished.
- (b) A tax known as Sithaku used to be collected at the rate of 80 paisa from each household of members of the Banda community in Patan during a festival at Kirtipur. The tax has now been abolished.
- (c) The sahupal levy, collected in the form of paddy on rice-lands in Patan and Bhadgaun, has been abolished.
- (d) The Fatte-Mubarakh levy, collected from vendors of fruits and vegetables in Kathmandu, has been abolished.
- (e) The Chhipi levy has been abolished.

- (f) Payments known as Kista and badh-anna, collected from Kipat land holders in East No. 1, have been abolished.
- (g) The fee for receipt against payment made to government offices of amounts exceeding Rs. 10 has been fixed at 4 paise only.
- (h) The banari tax, collected at (Chisapani) Gadhi from traders dealing in partridges and other birds, as well as fruits, has been abolished.
- (i) The fee collected by the porter contractor (bhariya-naike) from people who brought grains from the Tarai region has been abolished.
- (j) Arrears of payment or supply under the Gol-Daura Rakam (i.e. obligation to supply firewood and charcoal free of cost to the government) till the Vikrama year 1962 (A.D. 1905) have been remitted, and the rates at which such supplies were made have been reduced.
- (k) Arrears of tax payments due from the inhabitants of the eastern hill region from East No. 1 to East No. 3 from the Vikrama years 1923 to 1951 (1866 to 1894) have been waived.
- (l) Import Duties have been reduced or remitted as follows:-
- (1) Import duty on bire salt and rock-salt has been remitted. On sabari salt, duty has been reduced from 50 paise to 25 paise a maalload.
  - (2) The bakkuana tax (on each 32-dharni load) on fruits other than kabul pomegranates, sarda, and grapes has been abolished.
  - (3) Duties on rupee and asharfi coins (of gold), other than Kampani rupees, pounds, and guineas, have been abolished.
  - (4) The duty on soda-water and lemonade has been reduced from 50 paise to 10 paise per bottle.

## 10. Currency Reform

The 16-ganda, 18-ganda, 20-ganda, and 21-ganda currency units have been abolished, and a standard 25-ganda mohar rupee has been introduced all over the country.

## 11. Standard Weights

A standard kampani 40-ser maund (each ser consisting of 20 gandas) has been introduced in the Tarai region. The old maund, consisting of 4, 5, or 7 paseri(s), each paseri consisting of 10, 14, or 18 ganda(s), has been abolished.

## 12. Social Reform

Regulations have been enforced prohibiting extravagant expenditure at social ceremonies of the Banda caste among the Newars, and also among other castes.

## 13. Village Functionaries

Inasmuch as reports were received that Talukdars and common people in villages situated in the region from East No. 1 to East No. 4 were suffering hardships, appropriate arrangements have been made for their benefit.

## 14. Government Offices

The following new government offices have been created:-

- (a) Bhardari Adda
- (b) Rakam Bandobasta (Revenue Administration)
- (c) Commission Office
- (d) Jangi Bandobasta (Military Administration)
- (e) Guthi Lagat (Guthi Records)
- (f) Adalat Bakayuta (Realization of arrears of Judicial fines and penalties).
- (g) The Kumarichok (Audit Office) has been divided into four sections.
- (h) The Adalat (Judiciary) has been divided into two parts
- (i) Appeal Adda
- (j) Muluki Bandobasta
- (k) Bali Talab Janch
- (l) Customs Offices (Bhansar) in Bhadgaun and Patan
- (m) The Sadar Dafdarkhana has been divided into four sections.
- (n) Ban Janch Addas (Forest Offices) have been opened in Sarlahi, Rautahat, Khajahani, Sheoraj, Dang, Deukhuri, Morang, and two districts of the Naya Muluk (far-western) region.

The address of felicitations to Prime Minister Chandra Shumshere was presented by the following senior members of the Rana family:-

1. Commandar-in-Chief General Bhim Shumshere Jung Rana Bahadur.
2. Jit Shumshere Jung Rana Bahadur, Commanding General for the Western Zone.
3. Juddha Shumshere Jung Rana Bahadur, Commanding-General for the Eastern Zone.
4. Dharma Shumshere Jung Rana Bahadur, Commanding-General for the Southern Zone.
5. Rudra Shumshere Jung Rana Bahadur, Commanding General for the Northern Zone.
6. General Padma Shumshere Jung Rana Bahadur.
7. General Tej Shumshere Jung Rana Bahadur.
8. General Mohan Shumshere Jung Rana Bahadur.
9. Lt. General Pratap Shumshere Jung Rana Bahadur.
10. Lt. General Babar Shumshere Jung Rana Bahadur.
11. Lt. General Keshar Shumshere Jung Rana Bahadur.
12. Lt. General Bahadur Shumshere Jung Rana Bahadur
13. Major General Simha Shumshere Jung Rana Bahadur.
14. Major General Agni Shumshere Jung Rana Bahadur
15. Major General Prachanda Shumshere Jung Rana Bahadur.
16. Major General Krishna Shumshere Jung Rana Bahadur.
17. Major General Dambar Shumshere Jung Rana Bahadur.
18. Major General Bhuwan Shumshere Jung Rana Bahadur.
19. Major General Purna Shumshere Jung Rana Bahadur.
20. Major General Jadu Shumshere Jung Rana Bahadur.
21. Major General Khamba Shumshere Jung Rana Bahadur
22. Major General Hiranya Shumshere Jung Rana Bahadur.
23. Commanding Colonel Samar Shumshere Jung Rana Bahadur.
24. Colonel Prakash Shumshere Jung Rana Bahadur.
25. Colonel Tirtha Shumshere Jung Rana Bahadur.

26. Colonel Indra Shumshere Jung Rana Bahadur.
27. Lt. Colonel Veda Shumshere Jung Rana Bahadur.
28. Lt. Colonel Samir Shumshere Jung Rana Bahadur.
29. Major Captain Bhairav Shumshere Jung Rana Bahadur.
30. Captain Bhawa Shumshere Jung Rana Bahadur.
31. Babu Saheb Ananda Shumshere Jung Rana Bahadur.
32. Babu Saheb Lilaraj Shumshere Jung Rana Bahadur.
33. Babu Saheb Ganga Shumshere Jung Rana Bahadur.

Members of the Rana family used to add "Jung Rana Bahadur" to their names. On Marga 24, 1966 (November 11, 1909), the Commander-in-Chief, Bhim Shumshere, promulgated an order as commanded by Prime Minister Chandra Shumshere that the form be changed to "Jung Bahadur Rana."

Regmi Research Collection, Vol. 28, P. 438.

A more detailed account of the reforms measures of Prime Minister Chandra Shumshere is given in: Perceval Landon, Nepal, Kathmandu; Ratna Pustak Bhandar, 1976 (reprint of 1928 ed.), Vol. 2, Chapter XVI, pp. 156-85.

### Kathmahals

A list of Kathmahals in the Tarai and inner Tarai regions of Nepal at the end of the nineteenth century had been given in Regmi Research Series, Year 11, No. 11, November 1, 1979, P. 160. Additional information on the subject is given below.

#### Kathmahals-General

On September 19, 1876, the British Resident in Nepal, C.E.R. Girdlestone, in a report to T.H. Thornton, officiating secretary to the Government of India (Foreign Department), described the organization and procedure of Nepal's timber export trade in the following words:

Under the system of monopoly now obtaining what happens is that the timber is collected at depots near the points at which the larger rivers leave Nepalese territory. These depots are in charge of Government officials, the Kat Mahal being as much a department of State as our own bureau of revenue, agriculture, and commerce. The Durbar prefers to deal with as few persons as possible, because the fewer the holders of timber in British territory



the higher the prices that they can realize,  
and therefore the higher the initial charge which  
the Durbar can impose on them.

(Source: National Archives of India, New Delhi, Foreign Department  
(Revenue) Records, No. 15 P, P. 27).

Amalgamation of Rapti-Dwar and Deukhuri-Dwar Kathmahals

The Rapti-Dwar and Deukhuri-Dwar Kathmahals were amalgamated in A.D. 1882. Subba Padmanabha Joshi, Chief of the Banke Mal, was transferred as Chief of the new Kathmahal with the rank of Captain. Previously, the salary bill amounted to Kampani, Rs. 3,450 for the Rapti-Dwar Kathmahal and K Rs. 3,150 for the Deukhuri-Dwar Kathmandu, making a total amount of Rs. 6,600. The amount was reduced to K Rs. 4,732 for the new Kathmahal.

Particulars were as follows:-

	(in Kampani Rs.)
Captain Padmanabha Joshi	Rs. 1600 a year
One Mukhiya ...	Rs. 500 do.
One Naib ...	Rs. 200 do.
Two Subedars ...	Rs. 400 do.
One Nausinda ...	Rs. 144 do.
Two Hawaldars ...	Rs. 120 do.
Two Amaldars ...	Rs. 100 do.
28 Peons ...	Rs. 1120 do.
One attendant ...	Rs. 30 do.
One blacksmith (Kami) ...	Rs. 36 do.
	<hr/>
	Rs. 4,682 a year
Office Expenses	Rs. 50 do.
	<hr/>
	Rs. 4,732

(Order to Subba Padmanabha Joshi of the Banke Mal, Bhadra Sudi 4, 1939 (September 1882), Regmi Research Collection, Vol. 93, pp. 33-37).

Abolition of Ilam-Dwar Kathmahals

In Marga 1954 (November 1897) the Ilam-Dwar Kathmahal was abolished and its functions were assigned to the Ilam District Amini. According to an order issued to that office on Marga Badi 2, 1954 (November 1897):

We have abolished the Ilam-Dwar Kathmahal. No person shall be granted permission to cut trees in forests in that area. Dry and fallen timber may, however, be collected and sold to the highest bidder in the presence of representatives of the Ilam District Headquarters (Gaunda) Office. Timber shall be supplied to the local people for building purposes, as well as for manufacturing plows and other agricultural implements, against permits issued by the Ilam District Headquarters Office against a fee of 2 annas for each household. Duties at ferry points (ghat) and markets (bazaar), and fees for forest products (bankar) previously collected by the Ilam-Dwar Kathmahal, shall be collected by the Ilam District Amini in the future. In order to perform these functions, the post of a nausinda has been sanctioned for the Ilam District Amini on a yearly salary of Rs. 900.

Baisakh Sudi 7, 1955 (April 1898).  
Regmi Research Collection, Vol. 71, pp. 698-706.

Abolition of Babai-Dwar Kathmahal

The Babai-Dwar Kathmahal in Bardiya district was abolished in Aswin 1955 (September 1898). Its functions were then taken over by the Bardiya Mal Adda (Revenue Office). (Order to the Bardiya Mal, Ashadh Sudi 3, 1957/June 1900, Regmi Research Collection, Vol. 72, pp. 739-55).

(To be continued)

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Regmi Research Series

Year 16, No. 2

Kathmandu: February 1984

Edited By

Mahesh C. Regmi

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The Salt Trade During the Nepal-Tibet War

1. Suspension of Ijara

In Baisakh 1912 (April 1855) the Ijara for the collection of customs duties on Nepal-Tibet trade at Dana was suspended because such trade was dislocated by the Nepal-Tibet war. In the Vikrama year 1910 (A.D. 1853), the Ijara had yielded a revenue of Rs 29,001. Ditttha Srilal Bhatta was then deputed to Dana to collect the duties under the amanat system.

Baisakh Sudi 11, 1912 (April 1855)  
Regmi Research Collection, Vol. 56, p. 349.

2. Supply of Salt

Order to the village headman and revenue functionaries of Thini and other villages in the Panchgaun area: "We had placed the Dana customs under amanat management for the Vikrama year 1911 (A.D. 1854). We have now received reports that you are offering salt to the amanat officials at higher rates than those you had charged the Ijaradar. Indeed, you have held up the supply of salt even at such higher rates. Such action on your part has reduced the amount of revenue accruing to the government, and you may be held liable to meet the loss and also duly punished. You are therefore ordered to supply salt to the Dana customs on a regular basis and obtain payment at reasonable rates".

Jestha Badi 5, 1912 (May 1855)  
Regmi Research Collection, Vol. 56, pp 353-54.

3. Ban on Barter Trade with Tibet

Order to Srilal Bhatta: Captain Ambar Simha Kunwar Ranaji has reported to us that supplies of provisions to the army have been held up because you have issued orders that not a single mana of foodgrains should reach Tibetan territory. We had ordered you not to allow traders to take a single mana of foodgrains to Tibetan territory for the barter trade in salt. You have misinterpreted our order and held up supplies of provisions to the army. You are, therefore, punished with a fine of five rupees. Issue orders to traders engaged in bartering foodgrains with salt that they should purchase salt against cash payment, and not procure the commodity through barter with foodgrains. Do not allow traders to barter their foodgrains with Tibetan salt, but do not hold up supplies of foodgrains carried by the common people, or meant for the army. If you again hold up supplies of foodgrains to the army, you shall be punished under The Military Act (Jangi Ain). Use revenues collected at Dana to purchase foodgrains for the army and maintain stocks of such foodgrains.

Jestha Badi 9, 1912 (May 1855)  
Regmi Research Collection, Vol. 56, pp. 356-57

Dittha Srilal Bhatta was ordered not to permit any foodgrains to reach Tibetan territory, but to exchange foodgrains procured for the war with salt from local traders. The order added, "We have sent you to collect customs duties at Dana on amanat basis even though Premaranjan Dami had offered to pay Rs 31,000 a year. Try your best to raise revenue in excess of this figure".

Ashadh 1, 1912 (June 14, 1855)  
Regmi Research Collection, Vol. 56, pp. 414-17.

#### 4. Imports of Salt from India

The dislocation of the salt trade with Tibet because of the war seems to have led to a shortage of the commodity in Kathmandu and elsewhere. In an attempt to encourage imports of salt from India, on Kartik Badi 2, 1912 (October 1855), customs authorities at Thankot and other points up to the southern frontier were ordered not to charge duty on two-thirds of supplies of salt brought from the south for trade or personal consumption. Duties on the remaining one-third were, however, to be collected at the usual rates.

Regmi Research Collection, Vol. 56, pp. 454-55.

(An error in the text makes it unclear whether such customs exemption applied to one-third or to two-thirds of the quantity imported).

#### 5. Smuggling of Salt

Traders who smuggled salt from Tibet without paying customs duties at Dana were punished with a fine amounting to half the value of the smuggled salt. Thakali traders, however, were punished with a fine of only one rupee and one anna each. On Chaitra Sudi 4, 1912 (March 1856), Prime Minister Jung Bahadur issued an order to Dittha Srilal Bhatta to discontinue such a discriminatory practice, and collect fines from Thakali smugglers at the same rates as from other smugglers.

Regmi Research Collection, Vol. 56, p. 689.

#### Kathmahal

(Continued from the January 1984 issue)

#### New Chief of Chhatauna - Jamuri - Dwar Kathmahal

In the year 1954 (A.D. 1897), Subba Gauri Nath Padhya of the Chhatauna - Jamuri - Dwar Kathmahal in Rautahat - Bara districts was dismissed. Captain Krishna Bahadur Kanwar of the Kamala - Sarsor Kathmahal was appointed to fill up the vacancy with the rank of Naib Subba

Particulars of the employees of the Chhatauna - Jamuni - Dwar Kathmahal were as follows:-

		(in Kampani Rs)
Naib Subba	-	Rs 1000 a year
<b>(a) <u>For Chhatauna - Dwar (Rautahat)</u></b>		
One Mukhiya	-	Rs 500 a year
One Naib	-	Rs 200 do
Three Nausindas	-	Rs 324 do
One Subedar	-	Rs 200 do
One Hawaldar	-	Rs 60 do
One Amaldar	-	Rs 50 do
16 Peons	-	Rs 660 do
One blacksmith	-	Rs 36 do
One attendant	-	Rs 30 do
Office expences	-	Rs 2040 (sic)
		Rs 50
		<u>Rs 2090</u>
<b>(b) <u>For Jamuni - Dwar (Bara)</u></b>		
One Mukhiya	-	Rs 400 a year
One Naib	-	Rs 200 do
One Hawaldar	-	Rs 60 do
Two Nausindas	-	Rs 216 do
Ten Peons	-	Rs 40 do
One attendant	-	Rs 30 do
One blacksmith	-	Rs 36 do
Office expences	-	Rs 1342 (sic)
		Rs 50
		<u>Rs 1392</u>

Marga 26, 1954 (December 1897)

Regmi Research Collection, Vol. 71, pp. 641-49

New Chief of Banaganga - Dwar Kathmahal

The post of Chief of the Banaganga - Dwar Kathmahal in Butwal fell vacant in A.D. 1897 when Captain Bhariyabhupa Sen died. Lt-Krishna Bahadur Singh of the local Ban Janch (Forest Inspection Office) was appointed as his successor with the rank of Naib Subba. His salary was kept unchanged at Kampani Rs 833, and 10 annas,  $2\frac{1}{2}$  paisa.

Particulars of the salary bill of the Banaganga - Dwar Kathmahal were as follows:-

		(in Kampani Rs)
One Naib Subba	-	Rs 833-10- $2\frac{1}{2}$ a year
One Mukhiya	-	Rs 500 do
One Naib	-	Rs 200 do
One Subedar	-	Rs 200 do
Three Nausindas	-	Rs 324 do
One Hawaldar	-	Rs 60 do
One Amaldar	-	Rs 50 do
Twelve peons	-	Rs 480 do
One attendant	-	Rs 30 do
One blacksmith	-	Rs 36 do
Office expenses	-	Rs 50
Total	=	<u>Rs 2763-10-<math>2\frac{1}{2}</math></u>

Magh Sudi 3, 1954 (January 1898)  
Regmi Research Collection, Vol. 71, pp. 655-64.

Rapti Kusma Dwar, Mohana Dwar, and Mahakali Dwar Kathmahals

Similar schedules were approved on Marga Badi 9, 1954 (November 1897) for the following Kathmahals in the far western region.

- (1) Rapti - Kusma Dwar Kathmahal, Marga Badi 9, 1954 (November 1897) Regmi Research Collection, Vol. 76, pp. 477-79.
- (2) Mohana Dwar Kathmahal, Ibid, pp. 479-80.
- (3) Mahakali Dwar Kathmahal, Ibid, p.480.
- (4) Babai Dwar Kathmahal, Ibid, pp. 480-81.

### Kathmahals in Nawalpur

In A.D. 1901, the areas of Butwal, Dang-Deukhuri, Sunsar, and Surkhet comprised a single administrative unit, with a Goswara (District Headquarters Office).

There were two Kathmahals on the Tribeni river in the Nawalpur area of this administrative district, the Sardi (Birta) Kathmahal and the Tribeni Dwar Kathmahal.

The offices of both Kathmahals were located at the same place near the banks of the Tribeni river. During the monsoon, both offices shifted to a place in the adjoining hill area.

There was a market near the offices of the Kathmahals where their employees bought food and other supplies. However, the market remained closed during the six months of the monsoon. Local jimidars were, therefore, ordered to supply provisions at current rates during that period by rotation to the employees of the Tribeni-Dwar Kathmahal.

Jimidars were reluctant to comply with this order because it obliged them to transport food and other supplies to the hill camp of the Tribeni-Dwar Kathmahal. No such arrangements existed for the employees of the Sardi (Birta) Kathmahal.

A saw-mill had been installed near the offices of the two Kathmahals near the banks of the Tribeni river. It produced ties (sleepers) for the Indian railways for both Kathmahals.

The following orders were issued on Ashadh 10, 1958 (June 24, 1901):-

1. Employees of these Kathmahals shall not shift to their hill camp during monsoon because railway ties must be produced all the year round.
2. Food and other provisions shall be purchased in the local market so long as it remains open. After the market is closed, such provisions shall be purchased at current prices from local jimidars as designated by the Palhi Mal (Revenue Office).

Regmi Research Collection, Vol. 89, pp. 1-13.

### Abolition of Tribeni Dariyaburdi Adda

Dariyaburdi means trees washed away by floods. Prime Minister Bir Shumshere appears to have opened separate offices in different areas to collect such timber for export. These offices were known as Dariyaburdi Adda (s). One of them was located on the Tribeni river in Nawalpur.

On Bhadra Sudi 12, 1955 (August 1898), Prime Minister Bir Shumshere ordered the abolition of the Tribeni Dariyaburdi Adda. The Adda had 21 employees and an annual salary bill of Kampani Rs 1,606, but it collected only 500 or 600 flood-uprooted trees a year.



The work done by the Tribeni Dariyaburdi Adda was then assigned to the Tribeni-Dwar Kathmahal.

For the Vikrama year 1955 (A.D. 1898-99), the Tribeni-Dwar Kathmahal issued a contract for the collection of dariyaburdi timber. The contractor was required to collect Sissoo, Sal and other dariyaburdi timber measuring more than 3'x20' and supply it to the Tribeni-Dwar Kathmahal, against payment of the expenses incurred in cutting and transportation. He was allowed to export timber of smaller sizes to India.

No individual was willing to accept the contract for the Vikrama year 1956.

The Tribeni-Dwar Kathmahal, therefore, undertook the collection of dariyaburdi timber on amanat basis during that year. It collected 454 pieces of timber and sold 61 of them accordingly.

However, the Tribeni Dwar Kathmahal faced a shortage of men to do the work. The area under its jurisdiction extended over a stretch of 18 or 19 Kos along the banks of the Tribeni river, but it was not provided with additional employees to perform the work of the abolished Tribeni Dariyaburdi Adda.

On Magh Sudi 14, 1957 (January 1901), the Tribeni-Dwar Kathmahal submitted a petition to Prime Minister Bir Shumshere requesting an annual allocation of Kampani Rs 328 for appointing six employees to collect dariyaburdi timber. Particulars were as follows:-

		<u>In Kampani Rs</u>
1 Nausinda	-	Rs 108 a year
1 Hawaldar	-	Rs 60 do
4 peons	-	Rs 160 do
<b>TOTAL</b>	<b>= K</b>	<b><u>Rs 328</u></b>

In its petition, the Tribeni-Dwar Kathmahal also pointed out that six additional employees with a similar annual salary bill of K Rs 328 had been sanctioned for the Kosi-Pachhuwari Dwar Kathmahal when the local Dariyaburdi Adda was abolished and its functions were assigned to the Kathmahal.

In support of its request, the Tribeni-Dwar Kathmahal wrote, "In case timber is not collected from the banks of the river, it will be carried away, thereby causing loss of revenue to the government. The work cannot be done only with the help of Indian boatmen (mallaha). Money is needed to collect the timber from inaccessible river flats, cut it, and transport it by river with the help of Indian boatmen, who must be supplied with dadani credit".

The request of the Tribeni-Dwar Kathmahal was approved on Jestha 1958 (May 1901) by the new Prime Minister, Deva Shumshere Jung Bahadur Rana.

Regmi Research Collection, V 1. 89, pp. 46-60.

Introduction of Paper Currency  
(Summary Translations)

Order to Sadar Mulukikhana

On Bhadra 18, 2002 (September 3, 1945), the Commander-in-Chief, Padma Shumshere Jung Bahadur Rana, sent an order to the Sadar Mulukikhana (Treasury) to receive paper currency notes of the following denominations, which had been printed abroad, and credit the amount to its accounts:-

<u>Denomination</u>	<u>No. of Notes</u>	<u>Amount</u>
Rs. 100	45,000	Rs. 4,500,000
Rs. 10	300,000	Rs. 3,000,000
Rs. 5	600,000	Rs. 3,000,000
	Total	Rs. 10,500,000

Regmi Research Collection, Vol. 86, pp. 189-91.

Order to the Sadar Public Niksari

Commander-in-Chief Padma Shumshere Jung Bahadur Rana sent the following order to the Sadar Public Niksari: "A Note Bibhag Adda (Currency Department) has been created under the Sadar Mulukikhana, and arrangements have been made to introduce paper currency from Ashwin 1, 2002 (September 17, 1945). The newly-created Note Bibhag Adda will be accommodated in the southern wing of the Gaddi Baithak where goods of the Jinsikhana are kept. You are hereby directed to undertake necessary constructions there as directed by the Chief of the Mulukikhana, and have the necessary expenses debitted according to current regulations."

Bhadra 25, 2002 (September 10, 1945)  
Regmi Research Collection, Vol. 86, pp. 191-92.

Report of the Muluki Adda (Ain Sawal Phant) (Legal Section)

Approved (by Prime Minister Juddha Shumshere) on Bhadra 28, 2002 (September 13, 1945).

An order has been issued to this office by the Commander-in-Chief (Padma Shumshere Jung Bahadur Rana) to frame necessary orders and regulations regarding the introduction of a paper currency in Nepal, and also to submit proposals regarding staff for that purpose.



At present, mohar rupee coins are in circulation in our country. In recent times, there has been progress in business and commerce, hence the use of coins alone creates great difficulties. In particular, there is the danger of theft and dacoity as well as carelessness when coins have to be sent in large quantities to destinations in the hill and Tarai regions. Accordingly, the introduction of a paper currency will benefit both the government and the people. This was also the conclusion reached through discussions with persons designated for the purpose. Businessmen and other people can conclude large transactions quickly if a paper currency is introduced, thereby making it possible for them to expand their business and avoid losses. Introduction of a paper currency, therefore, appears desirable.

"We hereby submit the following recommendations for the introduction of a paper currency with effect from Aswin 1, 2002 (September 17, 1945). Appropriate orders may be sent accordingly to the Kausi Tosakhana, the Jangi Bali Talab (Military Pay Office) and other concerned offices. In addition, a public notification may be issued as follows.

1. According to an order issued on Bhadra 18, 2002 (September 3, 1945), currency notes worth Rs. 10,500,000 in denominations of Rs. 5, Rs. 10, and Rs. 100 have already been credited in a separate register at the Sadar Mulukikhana together with the serial numbers. Particulars are as follows:-

<u>Denomination</u>	<u>No. of notes</u>	<u>Amount</u>
Rs. 100	45,000	Rs. 4,500,000
Rs. 10	300,000	Rs. 3,000,000
Rs. 5	600,000	Rs. 3,000,000
	<u>Total</u>	<u>Rs. 10,500,000</u>

2. The Sadar Mulukikhana shall transfer the currency notes in the full amount of Rs. 10,500,000 to the Note Bibhag (Currency Department). The Note Bibhag, on its part, shall credit the amount in its accounts together with the serial number of each note. It shall retain currency notes in the amount of Rs. 2,500,000, and credit the balance of Rs. 8,000,000 in the deposit account of the Bhandarkhal Treasury. Currency notes thus deposited at the Bhandarkhal Treasury may be withdrawn for circulation, if necessary, with prior permission. Currency notes shall be kept safely in both the Note Bibhag and the Bhandarkhal Treasury.

Particulars of currency notes to be retained by the Note Bibhag are as follows:-

<u>Denomination</u>	<u>No. of notes</u>	<u>Amount</u>
Rs. 100	5,000	Rs. 500,000
Rs. 10	100,000	Rs. 1,000,000
Rs. 5	200,000	Rs. 1,000,000
		<u>Rs. 2,500,000</u>

3. The Note Bibhag shall record the serial number of each note retained by it under the overall responsibility of the Chief of the Sadar Mulukikhana.
4. Currency notes retained by the Note Bibhag shall be put into circulation in the following manner:-
  - (a) Amounts to be transferred from the Sadar Mulukikhana to the Kausi Tosakhana shall be half in coins and half in currency notes.
  - (b) Amounts to be transferred by the Sadar Mulukikhana to the Tejarath Adda for its loan operations shall also be half in coins and half in currency notes.
  - (c) Coins shall be exchanged at par with currency notes if so demanded by any person.
  - (d) Currency notes which may revert to the Sadar Mulukikhana in the course of circulation may be used to transfer funds to the Kausi Tosakhana in the manner mentioned above.
  - (e) The Note Bibhag shall maintain a minimum reserve of Mohar rupee coins at all times for the purpose of such exchange transactions.
  - (f) While recording transactions in currency notes, other government offices shall mention the serial number of currency notes only of the denomination of Rs.100.
  - (g) The office of the Note Bibhag shall be located in the Gaddi Darbar below the Sadar Mulukikhana. The Sadar Public Niksari has already been ordered to construct the office as instructed by the Chief of the Sadar Mulukikhana.
  - (h) The Jinsikhana will be ordered to import four safe-type almira's for storing coins and currency notes at the Note Bibhag. Until these are received, the safes of the Sadar Mulukikhana shall be used for the purpose.
  - (i) A sum of Rs. 150 has been sanctioned for the purchase of the following pieces of furniture on the basis of the lowest bid in the presence of the Chief of the Sadar Mulukikhana:-

One table and one chair each for the Naib Subba, the Kharidar, and the Tahabil Dittha.

One table and one bench each for the Mukhiya and the Naisinda.

One carpet of the appropriate size.

- (j) Accounts of exchange transactions shall be submitted to the Nepal Pahila Phant of the Kumarichok (Audit Department).
- (k) The Sadar Taksar (Mint Department) has already been ordered to prepare a brass stamp inscribed with the words "Sadar Mulukikhana Note Bibhag" for the use of the Note Bibhag.

5. Because there is no time to revise military pay forms for the current year, the Jangi Bali Talab shall receive funds from the Kausi Tosakhana wholly in Mohar rupee coins. It shall then exchange half of the amount for currency notes from the Note Bibhag. Military personnel receiving a salary of six rupees or less a month shall be paid wholly in coins, while others shall be paid half in coins and half in currency notes of the denominations of Rs. 5 or Rs. 10. From the next year, a separate column shall be inserted in military pay forms for payments in currency notes.
6. Other disbursements to be made by different government offices for salaries and other expenses shall also be made half in coins and half in currency notes as far as possible.
7. The following expenses have been sanctioned for the additional work involved in the introduction of paper currency:-

<u>1. For the Note Bibhag</u>		<u>Per year</u>
One Naib Subba	...	Rs. 1,200
One Tahabildar	...	Rs. 800
One Mukhiya (Accounts)	...	Rs. 400
One Tahabildar (Accounts)	...	Rs. 200
One Nausinda	...	Rs. 144
One Sarafi	...	Rs. 120
Two peons	...	Rs. 144
One attendant	...	Rs. 48
Stationary	...	Rs. 60
		Rs. 3,116 a year
<u>2. For the Sadar Mulukikhana</u>		<u>Per year</u>
One Mukhiya		Rs. 360

3. For the Kausi Tosakhana

		<u>Per year</u>
One Mukhiya (Accounts)	...	Rs. 360
One Naib Writer	...	Rs. 204
One Tahabildar	...	Rs. 204
		<hr/> Rs. 768 a year

4. For the Jangi Bali Talab Adda

		<u>Per year</u>
One Naib Subba	...	Rs. 240
One Tahabildar	...	Rs. 180
		<hr/> Rs. 420 a year

5. For the Tejarath Adda

The Chief of the Tejarath Adda has represented that no additional staff is necessary for his office for functions relating to paper currency if his previous request for additional staff to perform the increased volume of work relating to the supply of bans is accepted.

8. 50,000 copies of the following public notification shall be printed and sent to all district headquarter offices as well as to the Central Police Headquarters Office (Sadar Police Goswara) in the capital to the effect that a paper currency system will be introduced from Aswin 1, 2002 (September 17, 1945).

Public Notification

So far, mohar rupee coins issued by our government have been in circulation in this country. Recent changes, however, have led to considerable progress in the field of business and commerce, but only coins are available for concluding transactions, so that large quantities of coins have to be exchanged. Moreover, there is the danger of theft, dacoity, and carelessness when sending coins to the hills and the Tarai. For all these reasons it has become difficult to work quickly, and losses are inevitable.

In these circumstances, it has been decided that both the government and the people will benefit if a paper currency is introduced. Currency notes can be exchanged at par with coins, and the currency note issue will be fully backed by a reserve of mohar rupee coins. Currency notes of the following

numbers, denominations, and value will be issued for the time being, and the numbers of notes to be issued in the future will be published in the Gorkhapatra. Government office shall accept and make payments in currency notes at par with mohar rupee coins. Any person who needs such coins, rather than currency notes, may get them in exchange for notes, at the Note Bibhag of the Sadar Mulukikhana. In case any government office or others refuse to deal in currency notes, or exchange them for coins with a premium or discount, punishment shall be inflicted at our discretion.

Particulars

<u>Serial Number</u>	<u>Denomination</u>	<u>Total Number</u>	<u>Amount</u>
Nos. 000,001-005,000	Rs. 100	5,000	Rs. 500,000
Nos. 000,001-100,000	Rs. 10	100,000	Rs.1,000,000
Nos. 000,001-200,000	Rs. 5	200,000	Rs.1,000,000

9. In Customs, revenue, and other government offices and courts in the hill districts, currency notes shall be accepted and disbursed at par with mohar rupees.
10. In Nawalpur, Dang, Udayapur, Makwanpur, Chitwan, and Surkhet, where tax assessments are in mohar rupees but payments are accepted in Indian rupees, currency notes shall be accepted and disbursed at par with mohar rupees. In other Tarai districts where tax assessments are in Indian rupees, action shall be taken according to current orders and regulations.
11. Worn-out, torn, or damaged currency notes may be exchanged for new ones in case the serial number and the denomination are intact.
12. Only currency notes of the denomination of Rs. 100 may be cut into two portions in such a way that the serial number and the denomination are not cut. Currency notes of lower denominations shall not be cut into two portions in this manner.
13. In case the half-portion of currency notes of the denomination of Rs. 100 as mentioned above is lost or destroyed, payment shall be made against the other half to the extent of 50 percent only, that is, Rs. 50 for each Rs. 100 note. Six-monthly reports of such payments shall be submitted through the Ain Sawal Phant of the Muluki-Adda.

Mir Subba Krishna Bahadur

Naib Subba Indra Man Singh

Khardar Sher Man

Mukhiya Jaya Bahadur

Approved on Bhadra 28, 2002 (September 13, 1945).

Regmi Research Collection, Vol. 86, pp. 193-241.

(To be continued)



Copper and Lead Mines in  
Western Nepal

Jimidar Ujir Bahadur Hamal applied for permission to exploit mineral resources in the region east of the Bheri river up to Dang, Salyan, Pyuthan, Jajarkot, and Panchthapaula, other than the Baiskhani Mines (in the Parbat-Baglung region) in case he was granted authority to do so under the amanat system. He also offered to commute copper at Rs. 2½ a dharani. In addition, he stipulated that he would personally bear losses, if any.

Ujir Bahadur Hamal's petition was referred to the Dang Mal Office for necessary inquiries. In Shrawan 1957 (July 1900), Subba Khechar Nath Upadhyaya, Chief of that office, submitted the following report:

"Losses have been incurred in the operation of mines which had been placed under the jurisdiction of Dittha Ganesh Datta Pande. Jimidar Ujir Bahadur Hamal has defaulted in the payment of revenue due from the mauja under his jurisdiction, hence it is not appropriate to give him the amanat authority he has asked for. The Baglung Mines Office (Khanj Goswara) may be ordered to study whether or not the mines can be exploited with profit. Ujir Bahadur Hamal has stipulated that he will accept a salary only if at least Rs. 1,920 is raised every year. It lies at the discretion of the government whether or not to accept his offer."

The Kausi Tosakhana submitted the following report on the petition of Ujir Bahadur Hamal and the report of the Dang Mal Office:-

"Previously, the mines (mentioned in Ujir Bahadur Hamal's petition) had been operated under the amanat system, but losses were incurred. A sum of Rs. 468 was, therefore, sanctioned to the Dang Mal Office to appoint necessary staff for operating these mines under contract.

"The Dang Mal Office has reported that arrears of revenue are due from Ujir Bahadur Hamal, hence it will not be appropriate to recommend that he should be granted amanat authority to operate the mines. However, the government is already spending Rs. 468 a year in making contractual arrangements for the operation of mines through the Dang Mal Office, since amanat operation through Dittha Ganesh Datta Pande had led to losses, and more losses will result if the mines are not worked. It, therefore, seems appropriate to conduct a study of the mines mentioned in Ujir Bahadur Hamal's petition. Mines are the treasure-house of the government, which can be used at any time. Even if mineral resources are not searched for, they do not disappear. They are, in fact, immovable property which can neither be pilfered nor embezzled. Action should, therefore, be taken through the Baglung Khanj Goswara to ascertain whether or not the mines will yield profits if worked in this manner. Because Subba Khechar Nath Upadhyaya, Chief of the Dang Mal Office, has not

specified what arrears are due from Ujir Bahadur Hamal, and because he has submitted his report without ascertaining the actual condition of the mines, he may be punished with a fine at the discretion of the government.

"Ujir Bahadur Hamal has offered to operate eleven copper mines and five lead mines and stipulated a yearly payment of Rs. 1,920 as the commuted value of 252 dharnis of copper and 734 dharnis of lead. He has also stipulated that in case he is able to meet this commitment, he will receive expenses, amounting to Rs. 1,280 a year, and that, in case he is not able to raise Rs. 1,920, he will transmit one-third of the income to the government and use the remaining two-thirds to meet salaries and other expenses. He has signed a bond to this effect at the Dang Mal Office.

"The law prescribes that revenue contracts shall not be issued in the name of defaulters, but not that this should not be done in the case of those against whom only charges of such default are pending. If, therefore, he is entitled to get the contract according to the law, his offer may be accepted. If not, the Salyana Gaunda Office may be directed to make a settlement with regard to these mines according to normal procedure on contract or amanat basis as deemed appropriate."

The Muluki Adda endorsed the recommendation of the Kausi Tosakhana. Prime Minister Bir Shumshere then approved the recommendation on Kartik Badi 13, 1957 (October 1900). Subba Khecher Nath Upedhyaya was punished with a fine of half a mohar rupee.

Marga Badi 13, 1957 (November 1900)  
Regmi Research Collection, Vol. 70, pp. 683-95.

#### The 1954 Advisory Assembly

##### Royal Proclamation

In his New Year Day message on Baisakh 1, 2011 (April 13, 1954), King Tribhuvan announced that a new Advisory Assembly would be formed soon. A full translation of the royal message is given below:

"On the auspicious occasion of New Year's Day today, I offer my hearty felicitations to all of you. I humbly pray to God that the new year may see the continued growth of the prestige and glory of this beloved country and of the happiness and prosperity of the countrymen.

"I am glad to have the opportunity to confer new colors on the Kalibahadur Battalion of our national army at this function. It is the sacred duty of the army to uphold the glory of its colors. I am fully confident that our army, which is famous all over the world for its courage and gallantry, will, under the leadership of our competent and popular Commander-in-Chief, further enhance the glory of the nation by maintaining its shining tradition of patriotism.

"Everybody is aware of the situation through which the country is passing now. The situation, of course, is not what it should be. But there is no reason why we should feel disheartened. The future of a country which is endowed with natural wealth, and whose people are courageous and hard-working, cannot but be bright. I have no shred of doubt on this account. What is needed is collective effort for the upliftment and development of the country, and continued cooperation to the government in this task. I trust that due cooperation will always be forthcoming to the government from you. Let all look to the future with hope and self-confidence. Given that, we shall never fail to realize our goal.

"My government faces several questions, which have not so far been solved properly. Among others, two things seem specially important and indispensable. One is the improvement and reorganization of the administrative machinery, and the other is the need to make arrangements for holding general elections for a Constituent Assembly soon. As everybody knows, in the absence of a good and effective administrative machinery, no plans and programs of the government can be implemented properly, and every effort of the government will fail. For this reason, it shall be the primary duty of my government to make the administrative machinery efficient, economical and effective, totally separating it from politics.

"It is no less important and indispensable to maintain stability in the country. It is beyond doubt that no progress can be achieved unless we ensure stability. It will be easy to ensure stability once the government to be formed after the general elections assumes charge of the country's administration. It is, therefore, imperative to accomplish this task as early as possible. My government will make constant efforts in this direction. Until then, you should all extend all possible cooperation to the government I have formed, taking into account the situation and your sentiments. In this lies the interests of the country.

"You are all aware that I have expanded and reorganized the Cabinet with the intention of forming a national government through the cooperation of all political parties. To those parties and individuals who have kept out of the cabinet, I request that they too should contribute to the best of their capacity to the happiness, peace, and prosperity of the country through constructive effort in a spirit of responsibility and patriotism. Nearly two years ago, an Advisory Assembly had been formed with the objective of fostering democratic and parliamentary practices and procedures in the country and enlisting full public cooperation in the administrative system. Some time later, it became necessary to dissolve the Assembly because of the changed circumstances. But I am again proclaiming the formation of a more broad-based Advisory Assembly today, as such an assembly will enable the people to participate in the administrative affairs of the country more actively. The names of the members will be announced separately. This step is being taken in keeping with my own desire for the full growth of democratic institutions in the country. I hope that



all members will serve the country by offering such suggestions as they may deem proper, and lay the foundations of parliamentary practice which is vitally essential for democracy. On the occasion of the last Democracy Day, I had said that the country belongs to all and could prosper only through the collective endeavors of all. I would like to repeat that view now. May God give us wisdom." Jai Nepal.

Narainhiti Durbar,  
Baisakh 1, 2011 (April 13, 1954)

Source: Nepal Gazette, Vol. 3, No. 35, Baisakh 7, 2011 (April 19, 1954) pp. 71-73.

(To be continued)

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Regmi Research (Private) Ltd.

ISSN: 0034-348X

Regmi Research Series

Year 16, No. 3

Kathmandu: March 1984

Edited By

Mahesh C. Regmi

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Regmi Research (Private) Ltd.

Lazimpat, Kathmandu, Nepal

Telephone:2-16927

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The 1954 Advisory Assembly  
(Continued from the February 1984 issue)

Names of members nominated to the  
newly-formed Advisory Assembly by His Majesty  
On Baisakh 1, 2011 (April 13, 1954)

<u>District</u>	<u>No. of Seats</u>	<u>Names of Representatives</u>
East No. 1	3	Hansa Raj Shrestha Raj Das Ratna Prasad Kharel
East No. 2	3	Mohan Bahadur Karki Kul Chandra Koirala Surya Prasad Upadhyaya Dhungel
East No. 3	4	Bal Bahadur Rai Tsering Tenzing Lama Ang Babu Revati Raman Upadhyaya Pokhrel
East No. 4	2	Dr. Bhudev Rai Khadga Bahadur Karki
Dhankuta	5	Narendra Kumar Pradhan Narayan Bhakta Pradhan Bishnu Bahadur Vidya Nath Pokhrel Subba Lal Dhvaj Limbu
Ilam	1	Narendra Nath Banstola
Jhapa	1	Sunder Lal Rajvanshi
Biratnagar	2	Hem Narayan Chaudhari Krishna Bahadur Thapa

Saptari	2	Deva Nath Yadav Rameshwar Prasad Arjel Ramanand Singh Vedanand Jha
Udayapur	1	Guman Singh Reut
Mahottari and Sarlahi	5	Bishwa Nath Thakur, Rasbihari Roy, Rama Chandra Singh Mahendra Narayan Nidhi Keshav Raj Karki
Birgunj, Bara, Parsa and Chitaur	6	Gulab Narayan Jha Kewal Chaudhari, Dhundi Raj Sharma Pashupati Ghosh Janak Prasad Pradhan Shivendra Bikram Sh
Palhi Majkhanda	2	Dan Bahadur Shrivastav, Kashi Prasad Srivastav
Khajahani-Syuraj	1	Padma Bahadur Singh
Banke, Bardiya	1	Kunwar Kaliu Singh
Kailali Kanchanpur	1	Janak Bahadur Karmacharya
West No. 1	3	Vijaya Bahadur Malla, Bam Dev Upadhyaya Rudra Prasad Sharma
West No. 2	1	Rajeshwar Devkota

West No. 3 Pokhara	3	Rishikesh Shaha Kirtinidhi Bista Dhaneshwar Sharma
West No. 4 Syangja	3	Capt. Nara Bahadur Gurung Jaya Prasad Sharma Jaman Singh Gurung
Gulmi and Baglung	5	Dayanidhi Sharma Bhim Bahadur Budhathoki Magar Bishnu Sunder Shrestha Sthaneshwar Upadhyaya Kasni Raj Upadhyaya
Palpa	1	Padma Chandra Shrestha
Pyuthan	2	Mohan Bikram Singh Krishna Prasad Rimal
Salyana	2	Jhaggu Prasad Sharma Bharat Mani Sharma
Dang-Deukhuri	1	Dharma Bahadur Thapa
Dailekh	3	Dinanath Sapkota Mahendra Shahi Krishna Bikram Shaha
Jumla	1	Lokendra Bahadur Shah
Dandeldhura	1	Pushkar Nath Upreti
Baitadi	1	Chandrabir Singh

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Doti	3	Birendra Bahadur Shah Sher Bahadur Shahi Khadga Bahadur
Chisapani Gadhi	1	Ramhari Sharma
Valley (Upatyakanchala)	6	Hora Prasad Joshi Tripurwar Singh Pradhan Subarna Shumshere JBR Balachandra Sharma Chuda Prasad Sharma Mrigendra Shumshere
<u>Special:</u>		
(a) Women	10	Indira Acharya (Biratnagar) Tulaja Sharma (Parasi) Saraswati Rai (Ilam) Madhuri Shah (Birgunj) Chandrakanta Devi (Kathmandu) Punya Prabha Devi ( do ) Kamal Shah ( do ) Mrs. Narmada Devi Shrivastava M.A. (Nepalgunj) Sumitra Devi (Mahottari) Tara Devi Sharma (Kalaiya)
(b) Business Community	4	Raja Lal Arya (Birgunj) Krishna Gopal Tandan (Nepalgunj) Lok Nath Joshi (Kathmandu) B.L. Sharma ( do )



(c) Peasant representatives	4	Basu Pasa (Kathmandu) Chandra Bhusan Pandeya Krishna Mohan Adhikari (Mahottari) Bhakta Lal
(d) Labor representative	1	Sher Bahadur, Secretary Independent Trade Union, Biratnagar
(e) Other neglected Classes	3	Dr. Jhaman Ram (Saptari) Shekh Liyakat Ali (Rautahat) Siddhi Bahadur (Kathmandu)
(f) Politicians and intellectuals	6	Bishweshwar Prasad Koirala Purna Bahadur M.A. (Kathmandu) Laxmi Prasad Devkota ( do ) Parashu Narayan Chaudhari M.A. (Dang-Deukhuri) Shivapati Pratap Shah, M.A. LLB (Sheoraj) Kishorendra Bikram Shah (Birgunj)

Source: Nepal Gazette, Vol. 3, No. 37, Baisakh 21, 2011  
(May 3, 1954).

Royal Address to the 1954 Advisory Assembly  
(Jestha 25, 2011/June 7, 1954)

(Nepal Gazette, Vol. 3, No. 43, Jestha 32, 2011/June 14, 1954).

I am happy to welcome and address you at this session of the newly-constituted Advisory Assembly. I expect that you, who have gathered here from different parts of the country, will offer advice and assistance to me on the question of taking the nation ahead and making it happy and prosperous after deliberations on various problems facing it. You know that

since the major political change that has taken place in the country, it has been my fervent desire to take it toward a democratic course. However, during these three years, the country failed to have the kind of political climate and common efforts it needed. The fault lies on all Nepalis. This country belongs to all, rather than to a particular individual, group, or class, and we are affected alike by the progress or retrogression. There is no doubt about this. It should be the duty of the entire countrymen to think of the progress and development of the country as a whole, not just of an individual or party.

During this period of three years after the change, a number of experiments in government formation were made. But none of the governments remained stable, so that the country was unable to make the desired progress. First, a two-party coalition government was formed, but it was dissolved after sometime because of the rift and charges and counter-charges between the two parties. Thereafter, a one-party government was formed. It had been hoped that it would be able to do something worthwhile. A session of the first Advisory Assembly was summoned at that time. However, even before it could commence business, the party which had formed the government itself split. As a result, that government too was dissolved. Along with it the Advisory Assembly was also dissolved. I was compelled to take over the administration and run it for some months with the help of a few advisors. During that period, I had hoped that political parties would develop a sense of cordiality and goodwill toward each other, thereby bringing about some improvement in the political climate. But efforts made toward that end during that period did not prove successful.

Meanwhile, my health deteriorated, and finally it was deemed necessary for me to go abroad for treatment. My hope that different political parties would come together to form a government did not materialize, and, consequently, I had had to let a former Prime Minister form the cabinet again. Even at that moment, I was hoping that political parties would cultivate mutual harmony and cordiality and assume the responsibility for strengthening the foundations of democracy and nurturing it by joining the government. My Prime Minister had repeatedly made efforts toward that end. For some months, those efforts did not yield any results. Finally, it was possible to arrive at a compromise with leaders of three political parties. The present government is the result of that compromise. Our Prime Minister had given an opportunity to other political parties also to join it, but they declined to assume the responsibility.

Until a government is formed by representatives elected by the people in a general election, we need a suitable government for the interim period. Each political party claims to be the biggest, but until the people have cast ballots according to their conscience, how can I consider a particular party to be a big one and another to be a small one? This question will automatically be answered if all political parties work together. That is why I have always emphasized the need for a national government. I believe that with the formation of this Advisory Assembly, the responsibility of running the government

will be shared by people's representatives in a more broad-based manner. It is my resolute will to lead our government on the Parliamentary road solidly founded on democratic principles, relying on the hardwork, goodwill and cooperation of all. For the realization of this aim for the sake of the welfare of the country and the people, selfless service and cooperation of everyone are essential.

This Assembly has been formed with the objective of ensuring greater public participation in the administration and training the people in parliamentary procedures during the interim period, or till the formation of a Constituent Assembly consisting of elected representatives of the people. This is a novel experiment for the country. As such, members of this Assembly bear a major responsibility for saving, nurturing and stabilizing the nascent democracy. In keeping with my desire to make it more broad-based than the old Advisory Assembly by including in it representatives from all regions, classes, and parties, I had called on all parties and individuals to join it. However, some parties and individuals refused to join this Assembly. I had given them full opportunity to make healthy criticism of the government. But they chose not to avail of this opportunity. It seems that they do not want to assume any responsibility. I hope that members of this Advisory Assembly will rise above mutual enmity, malice and jealousy, be guided by selfless service to the nation, pay attention to the larger interests of the country and the people, and fulfil their responsibility accordingly. I also hope that you will devote yourself to the task of laying and strengthening the foundation of the pure democratic Parliamentary system in Nepal. It shall be the main function of this Assembly to cooperate with and help my government in promoting the progress and wellbeing of the country through truthfull and selfless criticism.

In the modern world, no country can live in isolation. The need of the hour is for all countries to attain progress through cooperation by maintaining close relations among themselves for serving the interests of mankind. Therefore, we too need to attain progress by pursuing that path and establishing friendship and goodwill with all countries, staying away from any power bloc, and preserving our sovereignty. Our interests lie in promoting friendship with the developed countries of the world, receiving assistance from them, and doing all we can to achieve all-round development according to this policy. We have already received experts and other forms of assistance from countries like Switzerland, England and the United States, which have achieved scientific progress. We have also sent many of our students for training in those countries. We have acquired similar assistance from our traditional friend India. The volume of assistance we have received from India is greater than that from other countries because of geographical, cultural, and natural factors. We have close ties with that country because of similar conditions, aims and policies. It is natural and beneficial for neighbors to share each other's weal and woe and be more helpful toward each other than others. Many of our citizens are gaining knowledge by touring the world. Foreign nations too are interested in exchanging goodwill and sympathy with Nepal. Distinguished people from Iraq, Turkey,

Argentina, Japan and Canada have been frequently visiting Nepal. Our students are getting training in far-off lands like New Zealand, Australia and Japan. It has been accepted as a duty for backward countries to obtain from advanced countries, and for the latter to provide unconditional assistance to them. It is not a matter of shame for backward countries to obtain such assistance, and none is entitled to despise them for this reason. You are aware of the fact that to label such friendly relations of cooperation as interference is unwarranted, and the product of a malicious, ignorant, and perverted mind. Such charges might have been justified had we obtained assistance only from a particular country and failed to establish relations with other countries. However, Nepal is receiving assistance from different national (and international) agencies such as WHO, ECAFE, UNESCO, the Colombo Plan, and USOM (Point Four). Nepal is also trying to become a member of the United Nations.

Nepal has already established diplomatic relations with countries like Britain, the United States, France and India. Our relations with our northern neighbor have also remained good. We shall strengthen these relations and establish relations with other countries also. It is our foreign policy to carry Nepal forward by constantly safeguarding its sovereignty, maintaining friendly relations with all, remaining aloof from anyone's influence, and refraining from joining any power bloc. It will be a denial of the truth if in disregard of such a policy of maintaining relations of goodwill, anyone deliberately gives it a bad name.

Our economic condition is serious. Even then, all possible efforts are being made to improve it. Our poor country had been circulating silver coins, although this has become impossible even for all affluent countries. Now cupro-nickel coins have been brought into circulation. This is expected to prove beneficial by saving silver. Appropriate steps are being taken to implement the 1950 Trade Treaty with the Government of India and get back excise duty. If excise duty is refunded, the government will have an income of nearly Rs. 6 million without imposing any new tax. This is no small increase. Steps are being taken to modernise the customs system in order to check leakage of revenue. It is being planned to establish a Tariff Board so that the common people may not have to pay customs duties at a number of places on the same goods.

There have been rumors of inflation and devaluation of our currency. During the previous regime, currency was scarce, because expenditure was kept at the minimum level and whatever was saved thereby was sent elsewhere. After the establishment of democracy, the entire income of the country is being spent within the country itself. The consequent abundance of currency, and the increased purchasing power of the people, have naturally given rise to the rumors of inflation. If this abundant Nepali currency is circulated throughout the country (Nepali currency has already come into circulation in far-eastern and far-western hill regions where the Indian currency had been circulating so far), Rs. 300 to 400 million can be easily circulated throughout the country. As such, appropriate steps are being



taken with that objective. It is therefore hoped and believed that the present devaluation is not of a permanent character.

In the sphere of health, our government has made substantial progress through its own resources and foreign assistance. Thirty-one new dispensaries will be established soon. A total of five hundred beds with necessary equipment have been received free of cost from the government of India for hospitals in Nepal. Assistance is being received from WHO for control of malaria, kalazar, filaria, and other diseases. A training program in nursing will be introduced as soon as possible. Steps have been taken for the revival of the Ayurvedic system by creating a separate Directorate. Non-governmental organizations engaged in the field of public health services are being encouraged to establish private organisations by providing all possible economic and other assistance.

There is an acute lack of education in Nepal. Efforts are being made to meet this need, although the resources of the government are limited. An Education Commission has been set up to frame an education plan suited to Nepal. Steps are being taken to open 225 primary schools (pathshala) at places where there are none at present. Some of them have already received assistance. Private schools are being given all possible assistance. High schools, colleges, Sanskrit schools etc. have been opened recently. Those going abroad for study are given scholarships. Hundreds of Nepali students have been sent abroad for higher education through scholarships provided by the Colombo Plan, FAO, etc. Education is a very important subject hence the government is doing all it can in this field, and is also studying measures to achieve greater success in this field.

Our government is making all possible efforts to develop natural resources. Inspection and tests are being conducted in respect to various kinds of agricultural and mineral products. As this task is too technical in nature, it was almost impossible to execute it through our engineers alone. However, thanks to the policy of receiving assistance from advanced countries adopted by us, we have been receiving valuable assistance from foreign specialists in this task. Iron has been located at the Phulchoki Hills in Godavari. This is expected to meet Nepal's demand for iron. A Swiss expert known as Dr. Hagen has prepared a report entitled "Geology of Nepal." Investigations are being undertaken on the feasibility of operating mines in Nepal on the basis of that report. No scientific measures had so far been taken for the utilisation of peat deposits in Kathmandu valley, although it is actually used at many places. Significant economy has already been achieved in the consumption of firewood at brick-kilns. Efforts will now be made to protect forests by saving firewood through greater use of peat.

A plan to grow 1.4 million muris of foodgrains in Rapti valley will be implemented as soon as possible. An FAO Swiss expert, Schulthess, is working satisfactorily in the field of

animal husbandry. For rural and agricultural development, the Tribhuvan Rural Development Plan has been introduced. To control floods on the Koshi river, the government of India has been given permission to construct an embankment on the river. This is expected to provide great benefit to our country.

A 1600 K.W. Thermal Power Plant will be commissioned in Kathmandu within twenty months. The Tinau, Sirsiya and Dudhaura irrigation projects in the Tarai region, the Mahadev-khola irrigation project in the valley, and tubewell and other agricultural projects have also been started. These development efforts are being expedited for all-round development by mobilising national resources as well as assistance from the Colombo Plan, TCA, FAO etc. It is estimated that Rs. 40 million will be required for the Tribhuvan Highway and the Trishuli Project, and the amount will be obtained from India under the Colombo Plan. The Tribhuvan Highway is almost complete, and is expected to be ready from the next season.

Difficulties in transport and communications have greatly hampered the development of the country. Therefore, the government has been paying attention to the development of these fields as far as possible. Construction of roads is very expensive, but our resources are limited. Hence we have adopted the policy of constructing roads through foreign assistance. Concessions are being provided as far as possible to Nepalis who want to construct roads on a private basis. Special orders have been issued to Bada Hakims to construct roads with the cooperation of the local people, and financial assistance is provided for such projects as far as possible. Airfields have been constructed at six or seven places. A plan is underway to construct such airstrips soon at all important places in the hill and Tarai regions. Telephone lines have been extended from Palpa to Butwal and Bhairahwa. Officials have been deputed for the extension of the telephone line from Koilabas to Dang. Nearly sixteen new wireless stations have been commissioned. Plans are being implemented for establishing communication links between important parts of the country through telephone or wireless. Negotiations are being held with the government of India for converting main Nepali post offices near the Indian border into Exchange Post Office. In Kathmandu valley, under-ground cables are being laid in order to improve communication services and make them available to the public.

Nepal is very backward in the fields of industry and commerce. Our country exports raw materials because it is backward, whereas finished goods are imported. The Biratnagar Jute Mills, one of the two jute mills of Biratnagar, had to be closed for some months last year because of a fall in the prices of jute and consequent losses. Since such failure of mills which had once run smoothly is bound to seriously harm the national interest, our government has helped to revive the mills by sympathetically providing necessary assistance. The Raghupati Jute Mills had been inoperative for six or seven years because of disputes regarding its managing agency. As it is a prominent industry of the country, and is likely to cause



a heavy loss to our people who have invested substantial amounts in it, the dispute has been resolved by purchasing the managing agency for the benefit of both the shareholders and the country. It is hoped that once these two mills start production, it will be easy to run other mills also. The government has taken this step because it is better to protect existing industries than to try to run new ones.

Most of Nepal's trade is conducted with India. The Nepal-India trade treaty has not been implemented so far, although it had been signed some years ago. Arrangements are being made to implement it from this month.

We all know that green forests are the wealth of Nepal. We have so far failed to utilise this wealth in a fully scientific manner. In order to improve this situation, the services of forest experts are being procured from India. After receiving the report of the expert, the government has requested all the concerned parties for constructive suggestions in order to implement as soon as possible the policy of protecting and promoting forest resources in a scientific manner. Steps are being taken to observe Arbor Day functions this year also as last year.

We have already observed Population Census Day on May 28, 1954. The population census of the eastern region had been completed in 1952. This work is steadily progressing in the western region also.

It is regrettable that elections have not been held so far although efforts are being made to hold them on schedule. Elections are a new thing for Nepal. Besides, our people are illiterate. As such, adequate cooperation is not forthcoming for this major venture. This is the reason for the delay. Training is being imparted to Election Officers. Districts are being divided into wards on the basis of population for election purposes. Lists of nearly 3,089,108 voters have already been completed. Elections are thus expected to be held very soon.

The concerned departments are trying to solve the complicated problems of land taxation, Guthi land, etc. It has been decided to conduct a cadastral survey and a plan in that regard has been partially implemented. The survey is expected to be of great help in reforming the land and tax systems. It is generally difficult to get the desired results quickly because the problem is very complicated and formidable. Even then, if the people extend adequate cooperation success can be achieved in this big task earlier than expected. The Land Reform Commission has already held three sessions, and the next session will be held in June 1953.

The government is taking necessary steps to depute mobile courts in various parts of the Kingdom in order to resolve disputes between landlords and tenants and implement a land reform program soon. These courts will be deputed as soon as necessary rules are framed.

Everyone is aware of the utility of the national army and the police in maintaining the internal and external security of the nation. You are aware that new pay scales have been introduced in the army, that it has been reorganized and that training is being given to military personnel. The police similarly constitutes an essential organ in internal security and law and order, and thus its reorganisation has also been essential. Such reorganization is accordingly proceeding ahead. Since our national police organisation comprises various units, their integration and classification are underway. One of our police officers has completed inspector's training at the Mount Abu Training College and eight others at the Moradabad Police Training School.

Powers under the Security Act have been delegated to Bada Hakims in the districts in order to arrest and detain elements who disturb the peace. Although this step has been taken in view of the current situation, the High Court opposed it and ordered the release of the detainees. A full Bench of the High Court has ruled that the Council of Ministers has no executive authority. It was felt that this ruling would encourage lawless elements, create contempt for the executive authority of the government, and even lead to a nationwide insurrection. As such, the need to amend the High Court Act was felt, and it was amended accordingly. We have contradicted the baseless criticism that this measure has put an end to personal liberty, and accordingly made a proclamation on Falgun 7, 2010 (February 18, 1954) pointing out that this was by no means the case, and that personal liberty had actually been safeguarded. I endorse that proclamation once again. Our intention is that every organ of the administration should function within the limits of the law.

There has been considerable progress in the field of local self government. Municipalities have been established in Kathmandu, Bhaktapur, Lalitpur, Biratnagar and Birgunj, and will soon be established in other towns such as Nepalgunj and Bhadrapur. Nearly 600 town Panchayats have already been set up. Plans have been formulated to station fire-fighting equipment in principal towns such as Biratnagar and Birgunj. Work is underway to prepare Municipal Manuals by setting up a Municipality Manual office.

A Law Commission has been established for making changes in the law necessitated by the political change. It has already started drafting legislation suited to Nepal by imparting a modern and democratic character to the existing laws and rules of Nepal.

A Publicity Commission has been established to advise the Department of Publicity of the Government of Nepal, as well as the Gorkhapatra and Radio Nepal and ensure their smooth functioning. We hope the report of that Commission will be of great help.

A Food Crisis Relief Committee has been set up in order to provide both short term and long term recommendations for improving the food condition of Nepal. Food reserves have been maintained to counter any possible food crisis in the valley.

These policies and measures adopted by the government have been published in the Chaitra 23, 2010 (April 6, 1954) issue of the Gorkhapatra under the caption "Minimum Program."

All of you who have attended this session with the desire to serve the country are expected to extend whatever cooperation to honor and implement these concrete and universally acceptable directive principles. I hope that you will prove a model as well as a source of inspiration for the entire country in the cause of democracy and efficiency. May God Pashupatinath make this Advisory Assembly successful. Jai Nepal.

### Introduction of Paper Currency

(Continued from February 1984 issue)

#### Order to the Jangi Bali Talab Adda

"Because the necessary forms for maintaining accounts in paper currency are not yet ready, the jangi Bali Talab Office shall procure funds for payment of salaries to military personnel in Mohar rupees from the Kausi Tosa Khana for this year. Actual disbursements, however, shall be made half in coins and half in currency notes. For this purpose, necessary mohar rupees shall be made available for exchange from the headquarters of the appropriate military unit. Payments shall be made wholly in coins to those who get a salary of less than six rupees a month. In the case of those who get higher salaries, payment shall be made half in coins and half in currency notes of the denominations of Rs. 5 or Rs. 10.

"For preparing the necessary forms and maintaining accounts of paper currency from next year, the following staff has been sanctioned:

One Naib Subba	...	Rs. 240 per year
One Tahabildar	...	<u>Rs. 180 per year</u>
Total -		Rs. 420 a year

Bhadra 29, 2002 (September 14, 1945)  
Regmi Research Collection, Vol. 86, pp. 242-50

#### Regulations for the Kausi Tosakhana

Regulations based on the recommendation of the report of the Muluki Adda (Min Sawal Phant), as given above (pp. 23-27) were issued in the name of the Kausi Tosakhana on Bhadra 28, 2002 (September 13, 1945).

Regmi Research Collection, Vol. 86, pp. 251-71.

Order to the Kamandari Kitabkhana

On Aswin 18, 2002 (October 4, 1945), the Kamandari Kitabkhana was ordered to register the names of employees appointed on the recommendation contained in the report of the Muluki Adda (Ain Sawal Phant).

Regmi Research Collection, Vol. 86, pp. 271-77.

Order to the Tejarath Adda

Necessary regulations based on the recommendation of the Muluki Adda (Ain Sawal Phant) were issued in the name of the Tejarath Adda on Aswin 2, 2002 (September 18, 1945).

Regmi Research Collection, Vol. 86, pp. 277-83.

Other Regulations

Regulations based on the recommendations of the Muluki Adda (Ain Sawal Phant) were similarly issued in the names of the following offices in Aswin 2, 2002 (September 18, 1945):-

- (1) Kampu Tirja Adda
- (2) Jinsi Adda
- (3) Sadar Taksar (Mint)
- (4) Kumarichok, (Nepal Pahila Phant)

Regmi Research Collection, Vol. 86, pp. 283-89.

Order to District Revenue Offices (Mal) and Courts (Adalat)

The following order was sent to Revenue Offices and Courts in all districts on Aswin 18, 2002 (October 4, 1945) in the names of Prime Minister Juddha Shumshere Jung Bahadur Rana and Commander-in-Chief General Padma Shumshere Jung Bahadur Rana:-

1. In Nawalpur, Dang, Udayapur, Makwanpur, Chitaur, and Surkhet, revenue assessments are in mohar rupees, but payments are accepted in Indian currency notes. In the future, payments shall be accepted in Nepali currency notes as well at par with mohar rupees. Disbursements may also be made in the same way in Nepali currency notes.

In the case of Revenue Offices in the Paral districts where assessments are in Indian rupees, and payments are accepted in Indian coins or currency notes, action shall be taken according to current orders and regulations.

2. While maintaining accounts of Nepali paper currency notes, serial numbers of notes of the denominations of Rs. 5 and Rs.10 need not be recorded.

Regmi Research Collection, Vol. 86, pp. 292-300.

### Additional Regulations

The Kausi Tosakhana reported that certain difficulties had arisen in implementing regulations regarding the introduction of paper currency issued on Ashadh 28, 2002 (September 13, 1945). These were as follows:-

1. The regulations prescribe that disbursements must be made half in coins and half in currency notes. However, people generally prefer to accept payments in currency notes only. Consequently, stocks of paper currency are depleted quickly, while coins remain undisbursed. The regulations may, therefore, be amended to prescribe that disbursements may be made wholly in coins or in paper currency notes according to the preference of the payee.
2. The regulations prescribe that separate columns be maintained for accounts of paper currency notes. However, this has made the accounts cumbersome. Because both mohar rupee coins and paper currency notes have par value, it is not necessary to maintain double accounts.

The following orders were issued on these two suggestions on the recommendation of the Muluki Adda (Ain Sawal Phant):-

1. The suggestion was accepted.
2. The suggestion was rejected on the ground that the project was a new one and additional staff for maintaining accounts had already been sanctioned.

Baisakh 10, 2003 (April 22, 1946)  
Regmi Research Collection, Vol. 86, pp. 300-6.

### Order to the Sadar Mulukikhana

On Ashadh 2, 2003 (June 16, 1946), an order was sent to the Sadar Mulukikhana to make disbursements wholly in mohar rupee coins or in paper currency notes according to the preference of the payee as mentioned above.

Regmi Research Collection, Vol. 86, pp. 306-12.

### Purchase of Bags

On Ashadh 22, 2003 (July 6, 1946), the Sadar Mulukikhana was granted permission to procure cloth and have bags sewn through the Faraskhana for storing mohar rupee coins. The sanction covered 1,000 bags a year with a capacity of 500 mohar rupee coins each.

Regmi Research Collection, Vol. 86, pp. 312-16.

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Some Old Royal Orders

Govinda "Kusum", "Kehi Purana Lal Mohar." (Some old royal orders), Nepali, Quarterly, No. 87, (Baisakh-Ashadh, 2038 (May-June 1981). pp. 14-18.

Udayapur (Pyuthan) was a birta rajya with a Brahman raja. After the unification of Nepal, all administrative functions were directed from Kathmandu. There were gaundas at several places, and Bada Hakims or other employees used to be appointed there by the center. The gaunda of Palpa was the nearest one for Udayapur Rajya. The Rajya had no jurisdiction over criminals belonging to other areas even if they were caught inside its territory. Such jurisdiction belonged to Palpa. In other words, the Rajya had authority only in name. The following royal order (lal mohar) makes this clear.

From Prime Minister and Commander-in-Chief  
General Jung Bahadur Kunwar Rana to Mukhiyas,  
Katuwals, Tharis, and other respectable people  
(bhala manis) throughout the district of Udayapur.

The inhabitants of Palpa, Gulmi, Argha, Khanchi, and Isma have come here with the complaint that thieves and burglars are creating havoc in the villages. In case you see any stranger who visits your village leaving the main route and asks questions, and in case you feel suspicious, you are hereby ordered to seize him and hand him over to the Palpa Adalat. The Adalat shall then conduct necessary investigations. In case any person commits theft in the villages by resorting to force and violence, the villagers shall jointly seize him and hand him over to the Palpa Office. In case (the thief) uses weapons, try your best to seize him, and, if you cannot do so, use weapons and kill him. Carry your weapons with you and capture thieves.

Jestha Badi 1, 1906 (May 1849).

(To be Continued)



Regmi Research (Private) Ltd.

ISSN: 0034-348X

Regmi Research Series

Year 16, No. 4

Kathmandu: April 1984

Edited By

Mahesh C. Regmi

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Some Old Royal Orders

By

Gobinda "Kusum"

(Continued from the March 1904 issue)

Employees of the government of Nepal were stationed at different places. They visited Udayapur Rajya frequently and collected land and other taxes in an arbitrary manner. The inhabitants of Udayapur then visited Kathmandu and obtained remissions of these taxes. Even then, the government employees extorted the taxes by force. The Brahmans of Udayapur then visited Kathmandu on foot and represented their grievances to the government. The following royal order makes this clear:

From Chautariya Guru Prasad to employees deputed to collect the Thiti-Salami levy from Magars and Kamis.

His Majesty has waived all taxes (Sarbanka-maf) on lands belonging to Jageshwara Karki and others in Udayapur. As such, no taxes have ever been collected on these lands. You have now sought to collect taxes there, and the Brahmans of Udayapur have come here to complain against such collection. No taxes should be collected on lands granted on a tax-free (Sarbanka-maf) basis by His Majesty. Refund the amount, if any, that you may have collected. If you again try to collect taxes there, and the Brahmans come here again with complaints, you shall be deemed to have acted in contravention of royal orders and committed an offence.

Jestha Sudi 6, 1903 (May 1846).

Similarly, employees of the government of Nepal used to collect an unauthorized levy known as gol-kar (charcoal-levy) at the rate of one paisa per head from Kamis who manufactured charcoal. The Raja of Udayapur protested against this injustice, and had the levy remitted. The amount that had already been collected was also refunded. The following royal order makes this clear.

From Sardar Gunjaman Simha Basnet to Nayak Jageshwara Karki of Udayapur.

His Majesty had granted Udayapur to you as tax-free (Sarbanka-maf) birta-bitalap. Accordingly, the Bhardars deputed to Udayapur had exempted (the local people) from forced labor (jhara) for the supply of charcoal. This year, employees (hudda, sipahi) deputed to impress such labor collected cash payments (khara) from the Kamis of Udayapur. We hereby refund the amount thus collected, and reconfirm the traditional exemption granted to your lands in Udayapur from forced-labor obligations for the supply of charcoal.

Marga Badi 10 1904 (November 1847).

Available royal orders show that taxes were exempted in this manner because Udayapur was a birta-rajya owned by a Brahman. Several royal orders were issued granting exemption from the godhuwa levy, as well as land and water taxes.

A document issued in the name of Chautariya Narahari Bikram Shah in the Vikrama year 1898 (A.D. 1841) provides for exemption from the godhuwa levy. This levy was collected from different rajyas during the wedding of a royal princess at the rate of one rupee per head. The Brahmans of Udayapur used to visit Kathmandu from time to time to obtain exemption from this levy. A journey from Udayapur to Kathmandu was an arduous undertaking in those times, but the Brahmans did succeed in obtaining exemption. In the Vikrama year 1898 (A.D. 1841), the levy was waived on the ground that the Raja of Udayapur enjoyed exemption. The royal order is as follows:-

From Chautariya Narahari Bikram Shah to Subidar Hemakarna Roy, who has been deputed to collect the Chumawan levy in Dang.

The Birta-bitlab grant made to Rudramani Karki of Udayapur in the Dang region was held to be valid, and a royal order was issued accordingly on Chaitra Badi 6, 1875 (March 1819) granting exemption from all taxes (sarbanka-maf), but not Chumawan and godhuwa. You are, therefore, ordered to check whether or not the chumawan levy was collected in the Vikrama year 1880 (A.D. 1823). If it had not been collected in that year, do not seek to collect it now on the birta lands of (Rudramani Karki).

Bhadra Sudi 14, 1898 (August 1841).

#### Payments to Dr. Henry A. Oldfield

Dr. Henry Ambrose Oldfield was Surgeon at the British Residency in Kathmandu from 1850 to 1863. During 1857-58, he concurrently functioned as Honorary Assistant to the Resident. Dr. Oldfield has written a two-volume account of his experiences under the title Sketches from Nipal (London: W.H. Allen, 1880).

From the Vikrama year 1909 (A.D. 1852-53), Dr. Oldfield appears to have been paid a regular salary by Prime Minister Jung Bahadur. The salary amounted to Rs. 100 for each lunar month thus making a total payment of Rs. 1300 for Vikrama 1909, which consisted of thirteen lunar months.

In addition, Dr. Oldfield was paid Rs. 30 per month as the cost of medicines supplied to the hospital.

#### References:

"Revenue and Expenditure of the Government of Nepal", 1909 (1852-53), P. 79; 1910 (1853-54), P. 125; and 1918 (1861-62), P. 94.

Duties on Food Exports1. Khajahani

On Falgun Badi 30, 1941 (February 1885), Prime Minister Ranoddip Singh ordered a report on arrangements to collect customs duty from Indian traders who visited villages in the western Tarai region for purchasing foodgrains and other commodities.

The Khajahani Mal Office then collected reports on these arrangements from different sources. A summary of these reports is given below:-

- (a) Former Sairdars (i.e. the individual who had obtained a contract for the collection of such commodities).

Customs duty on foodgrain exports (gallararakam) has not been collected since it was incorporated into the amount assessed on each mauja. Export and import duties are collected according to the prescribed schedule on the following:-

- (1) Rice, paddy, millet (kodo), maize, and other foodgrains exchanged by Indian traders with potatoes, fish, etc.
- (2) Foodgrains brought for sale by local people on market-days.

- (b) Chaudharis Gangamal, Gay Prasad, and others

The galla-rakam in Khajahani district yields a total revenue of Rs. 14,473 and 13½ annas. We are paying this amount every year. Previously, Sairdars did not collect duties on exports, but the incumbent, Kehar Singh Karki, is making collections at the following rates:-

<u>Commodity</u>	<u>Rate of Duty</u> (per cartload)
Rice ...	6 annas
Oilseeds ...	5 annas
Paddy, barley ...	6 annas

The duty is thus being collected twice over. Accordingly, the amount collected by the Sairdar should be refunded to us. Alternatively, the galla-rakam should be removed from the tax-assessment register.

Recommendation of the Madhesh Bandobast Adda

The customs duty on foodgrain exports had been removed from the jurisdiction of the Sairdar and incorporated into the land-tax register. Accordingly, previous Sairdars had not collected the duty. The incumbent, however, is reported to be doing so. Such

action contravenes the provisions of Section 4 of the Law on Revenue-Collection Arrangements (Rakam Bandobastako). Appropriate action may, therefore, be taken against him.

The recommendation was endorsed by the new Prime Minister, Bir Shumshere, on Falgun Sudi 15, 1942 (February 1886).

Regmi Research Collection, Vol. 51, pp. 507-16.

## 2. Sheoraj

The landowners of Sheoraj submitted the following petition to Colonel Siddhi Man Singh Rajbhandari, Chief Administrative Officer (Bandobastawala) (For the western and far-western regions):

Merchants who visit this district to purchase foodgrains say that since they have to pay duties (sair) on exports, they will make purchases only if we reduce prices. Accordingly, we have had to reduce prices in order to dispose of our produce. We, therefore, pray that duties on foodgrain exports be abolished, and that we shall compensate the loss of revenue on a proportionate basis.

From the Vikrama year 1920 (A.D. 1863), therefore, a surcharge of 3½ paise on each rupee of land tax was collected in Sheoraj in lieu of duties on the export of foodgrains.

This arrangement continued till the Vikrama year 1940 (A.D. 1883). The local landowners paid the surcharge along with the land tax and sold their produce without any additional restriction. Sairdars in that area did not collect any duties on foodgrain exports.

In the Vikrama Year 1941 (A.D. 1884), the contract for the collection of Sair duties in Sheoraj was granted to Bal Bahadur Karki. He started collecting duties on foodgrain exports at rates fixed by himself. Moreover, duties were collected at different rates from different individuals.

When asked for explanations, Bal Bahadur Karki replied, "I have not collected duties on foodgrain exports under any order or regulation. But I will collect such duties according to the practice followed in other districts."

On Bhadra Badi 9, 1939 (August 1882), the following order had been issued in this connection:

Duties are collected on twenty-one or twenty-two items in other districts, but the schedule for Sheoraj district contains only seventeen items. Items which are subject to duty elsewhere can be exported freely from Sheoraj, while those that are dutiable here are exempt elsewhere. You have, therefore, no right to collect duties according to the practice followed in other districts, or

to make collections at arbitrary rates. Your contract does not grant you the right to collect unauthorized duties in this manner.

This order was observed in transactions between merchants and local people. However, (the contractor) held up foodgrains purchased by Indian traders on the border until duties were paid. He charged such duties at 6 annas, 8 annas, 10 annas, 12 annas, or 13½ annas per cartload, and 1 anna per headload (tagi).

Because the contractor, Bal Bahadur Karki, collected unauthorized duties at arbitrary rates in this manner, (Indian) merchants went back without purchasing any foodgrains in Sheoraj. Local landowners were, therefore, unable to sell their foodgrains and pay taxes to the government.

On Baisakh Badi 3, 1942 (April 1885), Captain Indradhwaj Pande, Chief of the Sheoraj Mal, requested Kathmandu for instructions. He underlined the following points:-

- (1) Section 6 of the revenue regulations for Sheoraj issued in his name prescribed that new and unauthorized payments shall not be collected from the people.
- (2) An order (sanad) issued on Bhadra Badi 9, 1938 (August 1881) in the name of his predecessor, Captain Bakhan Singh Thapa, instructed him to inflict severe punishment on any Sairdar who collected duties at arbitrary rates. Captain Indradhwaj Pande pointed out that the order did not specify what type of severe punishment should be inflicted.

Captain Indradhwaj Pande included in his petition a statement signed by three former Sairdars of Sheoraj district, Rajaram Chaube, Dewan Dasan Khan, and Lal Khan. The statement read as follows:-

In the Vikrama year 1920 (A.D. 1863), the galla-rakam (customs duty on foodgrain exports) was removed from the list of Uparjyan-Sair items and incorporated as a surcharge on the land tax revenue assessed on each mauja. Accordingly, even though our contracts mentioned export duties as one of the sources placed under our jurisdiction, no Sairdar collected such duties on foodgrain exports from any Indian or local merchant before the Vikrama year 1940 (A.D. 1883).

The Madhesh Bandobasta ~~Adla~~ then recommended that the Sheoraj Mal be ordered to obtain a statement from Bal Bahadur Karki admitting that he had collected duties on foodgrain exports without authority and recommend appropriate action according to the law, or else a copy of the document assigning such authority and the rates of duties.

Falgun sudi 15, 1942 (February 1886)  
Regmi Research Collection, Vol. 51, pp. 516-26.



Sugarcane cultivation was promoted with the objective of providing for government elephants as well. In March 1856, for instance, Prime Minister Jung Bahadur ordered Major Captain Maharudra Khatri to bring about 1500 bighas of land under sugarcane in the inner Terai area of Makwanpur district sufficient for providing feed to 500 elephants for six months. (56/679) (56/644).

Salami Levy, A.D. 1905

On poush 20, 1961 (January 5, 1905), Prime Minister Chandra Shumshere issued an order directing that Salami levy be collected on behalf of the Prime Minister and the Commander-in-Chief from reconfirmed or newly-appointed government employees and stipendiaries as follows:-

For the Prime Minister

(To be credited to the accounts of the appropriate government office).

<u>Rank</u>	<u>Rate of Salami</u>
1. Chautariya, Major-Captain, Naib Subba, and Khalifa or equivalent ranks	Rs. 2
2. Other government employees drawing emoluments not exceeding Rs. 30	Rs. 1
3. Employees of lower ranks	Exempt.
4. Mechanic (Kaligad)	Rs. 1
5. Porter (pipa), <u>banadar</u> , attendant ( <u>tahaluwa</u> ), and equivalent ranks	8 annas
6. Jamadar, hudda, and soldier	Rs. 1
(The initial payment shall accrue to the appropriate authority. Only the second and third payments shall accrue to the Prime Minister).	
7. Employees who are promoted to a higher rank (but not to higher emoluments)	Rs. 1
8. Babu sahebs getting a stipend of between Rs. 2,000 and Rs. 10,000 (Those who get lower stipends are exempt)	Rs. 2

For the Commander-in-Chief

(To be remitted to the personal office of the Commander-in-Chief).

- |   |     |        |
|---|-----|--------|
| 1. Government employees<br>drawing a salary of not<br>less than Rs. 125 | ... | Rs. 1  |
| 2. Cashier ( <u>Tahabildar</u> )  | ... | Rs. 1  |
| 3. Employees of lower ranks   | ... | Exempt |

Poush 22, 1961 (January 5, 1905)  
Regmi Research Collection, Vol. 78, pp. 321-25.

Land Taxation in Kaski and Lamjung A.D. 1934-351. Khet Lands

In the Vikrama Year 1990 (A.D. 1934), a sarpat survey was conducted on khet lands in Kaski and Lamjung. The survey resulted in an enhancement of taxation, either because the actual area of holdings was found to be in excess of the previously registered area, or because the amount of tax was increased. The incidence of taxation consequently rose so high that in some cases it exceeded the actual income. The local landholders paid their taxes at the enhanced rates for one or two years for fear of arrest, but in Vikrama 1994 (A.D. 1937) they threatened to relinquish their lands. The Pokhara Tahasil then reported to Kathmandu that many landholders would be affected if the property of the defaulters was auctioned to realize the arrears, and if they were placed in detention. It, therefore, recommended that the revenue settlement be revised in moujas under the jurisdiction of three Jimmawal-Mukhiyas— Dhana Bahadur, Ratna Prasad, and Dil Bahadur, — as well as in the mouja of Pandi. The recommendation was accepted.

Figures of tax-assessment before and after Vikrama 1990 in the following moujas were as follows:-

Fractions of muri or paisa omitted.

<u>Jimmawal-Mukhiya</u>	<u>Before Vikrama 1990</u>		<u>After Vikrama 1990</u>	
	<u>Area</u> (in muri)	<u>Revenue</u>	<u>Area</u> (in muri)	<u>Revenue</u>
<u>Purano-Kaski</u>				
Dhan Bahadur	5,750	Rs. 348.58	8,237	Rs. 1,455.92
Dil Bahadur	108	Rs. 13.37	288	Rs. 46.06
Ratna Prasad	716	Rs. 45.63	830	Rs. 159.73

Sarangkot

Dil Bahadur	400	Rs.280.74	5,104	Rs.661.45
		<hr/>		
	6,974muri	Rs.688.32	14,459	Rs.2,323.16

The assessments were now revised as follows:-

Fractions of muri or paisa omitted.

<u>Jimmawal-Mukhiya</u>	<u>Area</u>	<u>Revenue</u>
<u>Purano-Kaski</u>	(in muri)	
Dhan Bahadur	8,237	Rs. 811.69
Dil Bahadur	288	Rs. 24.61
Ratna Prasad	830	Rs. 77.39
 <u>Sarang Kot</u>		
Dil Bahadur	5,104	Rs. 444.96
Total:	14,459	Rs. 1358.66

Regmi Research Collection, Vol. 12, pp. 636-40

2. Pakho Lands

Prime Minister Juddha Shumshere sanctioned the following arrangements for a fresh revenue settlement in Kaski and Lamjung on Wednesday, Chaitra 28, 1991 (April 10, 1935).

"The local landholders have demanded that the existing system of classifying homesteads as Hale, Pate, and Kodale be retained for the purpose of taxation. Two categories of homesteads have now been recognized:-

Hale-Pakho if an ox-team can be used for plowing, and Kodale-Pakho if only the hoe can be used.

"As regards taxation, the following arrangements will benefit the local people, particularly because this is a rajya. Under current regulations, the tax on subdivided homesteads is assessed at a proportionate rate. This means that revenue goes up by 50 percent. Most landholders have now expressed willingness to pay the tax on homesteads under the Bijan system, the rate on each homestead to be calculated on the basis of 125 percent of the amount of revenue collected previously.

"The amount of homestead tax previously assessed in Kaski and Lamjung was Rs. 19,249. An additional amount of Rs. 598.82 was collected from 110 new homesteads, thus making a total amount of Rs. 19,847.82. On the basis of this figure, the following rates of Serma tax have been sanctioned under the Bijan system:-

Hale-Pakho	...	R.	0.60	per pathi of seeds
Kodale-Pakho	...	Rs.	0.30	do.

The following levies, which yielded the following amounts of revenue, have been abolished:▼

Jalkar	...	Rs.	32.12.3
Nun-Dalali and Asmani	...	Rs.	14.86
Total:		Rs.	46.98.3

The following taxes on the roof shall be collected as usual:

1. Saunefagu
2. Walak
3. Meegjin

These arrangements shall come into force from the Vikrama Year 1992 (A.D. 1935)

Regmi Research Collection, Vol. 12, pp. 144-45.

#### Panchsaya Khola

A few documents concerning Panchsaya Khola in Nuwakot district had been translated in Regmi Research Series, Year 11, No. 7, July 1979, pp. 104-5. They contained references to a royal order issued in A.D. 1855. An abstract translation of that royal order is given below:-

Shadra sudi 8, 1912  
(August 1855)

The headmen (mukhiya, budhauri) and common people (praja) of villages comprising the Panchsayakhola area ( of Nuwakot) submitted the following petition to Prime Minister Jung Bahadur during his tour of the northern region in connection with the (Nepal-Tibet) war:

"During the time of Shri 5 Bada Maharaja (Prithvi Narayan Shah), Kaji Vamsharaj Pande visited this area and told us: "You live in an area which is close to the border, hence you must provide both military (tilanga) and portorage (bhariya) services. In case any person smuggles gunpowder, muskets, cannon-balls, flints, saltpeter, sulfur, and other military supplies to Tibet from the territories of Gorkha, capture him, confiscate the goods, and bring them to the palace. Also capture any criminal who may pass through that area clandestinely on his way to Tibet. Provide portorage services through your respective areas without any delay for Sirto supplies to Tibet, as well as for

goods which are despatched from there. Supply sirto goods, medicinal herbs and drugs, etc. due from that area from time to time. The inhabitants of the following ten villages shall provide porterage services for the transportation of mail (Hulak):

- |            |              |
|------------|--------------|
| 1. Yarsa   | 2. Parchyang |
| 3. Gadla   | 4. Cholike   |
| 5. Goljung | 6. Jhumman   |
| 7. Dhunche | 8. Bharku    |
| 9. Syafu   | 10. Timure   |

"The inhabitants of other villages (in the Panchsayakhola area) shall work in the gunpowder factory. They shall also help in the collection of jagat duties on trade with Tibet; arrest any person who may create disturbances or use force, tie him up, and bring him to the palace. In the hill region, persons who provide hulak services are granted exemption from homestead taxes (ughauni, paghauni) and forced labor (jhara, beth, begar) obligations, and also protected from eviction from the khet and pakho lands occupied by them. There are no khet lands in your area, hence you depend solely on pakho lands for your livelihood. You are therefore permitted to procure salt from Tibet. The inhabitants of the ten villages who provide hulak services shall be exempt from jagat, nirkhi, and taksar duties at Bharku, Syafu, and Timure. Those who work in the gunpowder factory shall be allowed to procure five manloads of salt for each household from Tibet without paying any duties. A stone inscription mentioning these arrangements was then installed at Timure, and we have so far been acting accordingly.

"Subsequently, jagat functionaries forcibly started collecting jagat duties from the inhabitants of Yarsa and Parchyang. This has caused them much harassment. This year, because of the war, we have had to provide porterage services for the transportation of military supplies, as well as other government supplies (chapple-hulaki) and mail (kagate-hulaki). We have also had to bear the burden of (meeting the needs of) troops passing through our villages. The tax exemptions that had been granted to us have been withdrawn. How then can we work? We have to supply provision to the Dware and the persons who accompany him throughout the year. We are being compelled to sell our children in order to do so."

In response to this petition, a royal order was issued on Bhadra Sudi 8, 1912 (August 1855) reconfirming the traditional arrangements and exemptions. The order also contained the following provisions:-

1. Jagat, Nirkhi, and Taksari taxes shall not be collected forcibly from the inhabitants of Yarsa and Parchyang villages.

2. The obligation of the local people to provide free provisions (manachamai) to Dwares and other revenue collecting functionaries has been abolished.
3. All tax exemptions customarily granted to the inhabitants of these villages have been reconfirmed.

Bhadra Sudi 8, 1912 (August 1855)  
 Regmi Research Collection, Vol. 56, pp. 523-29, See vol. 58,  
 Pp. 1-6 for text of royal order dated Bhadra Sudi 12, 1912.

An official team headed by Dhundiraj Gurugharana Pandit had been deputed in A.D. 1896 to revise the revenue settlement in the Panchsaya Khola area. The local people subsequently complained that the recommendations of that team did not conform to the royal order of A.D. 1855. Prime Minister Bir Shumshere rejected the complaint on the following grounds:

- (1) The complaint had not been submitted to the official team.
- (2) The people of Panchsaya Khola had previously accepted enhancements in revenue notwithstanding the arrangements made in A.D. 1855.
- (3) Complaints had been received frequently that they had failed to register taxable lands and homesteads.
- (4) During Vikrama 1944 (A.D. 1887-88), when imports of salt from Tibet had been banned, the inhabitants of Panchsaya Khola had smuggled salt from Tibet.

Prime Minister Bir Shumshere accordingly rescinded the A.D. 1855 order. At the same time, he decreed:

In the course of the settlement, a total sum of Rs. 12,749 — 6½ has been assessed on Panchsayakhola. This amount seems to be too high. Accordingly, a sum of Rs. 2,000 has been remitted for the inhabitants of the ten villages who provide portering services for mail (hulaki). The balance of Rs. 10,749-6½ shall be collected in full."

Officials of the survey team were ordered to apportion this amount among the local people according to the area and grade of lands and homesteads occupied by them.

The order also provided the following privileges:

- (1) No jagat duty shall be collected on salt procured in any quantity (from Tibet) by the inhabitants of the ten villages who are under obligation to provide hulak services.
- (2) Inhabitants of villages assigned to work in the gunpowder factory may make five trips a year each to bring salt without paying any duty.



Jestha Badi 4, 1954 (May 1897)

Regmi Research Collection, Vol. 76, pp. 603-7.

(This order was revised eleven months later. See Regmi Research Series, Year 15, No. 7, July 1983, pp. 104-5).

Information regarding these arrangements was sent to the following offices on the same day:-

1. West No. 1 Bakyauta Tahasil Adda.
2. West No. 2 Bakyauta Tahasil Adda.
3. Patan Bakyauta Tahasil Adda.
4. Ilam Gaunda.
5. East No. 1 Bakyauta Tahasil Adda.
5. Kirtipur Bakyauta Tahasil Adda.
7. Pallokirat (Terhathum) (District Office).
8. West No. 4 Bakyauta Tahasil Adda.
9. Palpa Bakyauta Tahasil Adda.
10. Jumla Gaunda.
11. West No. 5 Bakyauta Tahasil Adda.
12. East No. 4 Bakyauta Tahasil Adda.
13. Bhadgaun Bakyauta Tahasil Adda.
14. East No. 3 Bakyauta Tahasil Adda.
15. Doti Bakyauta Tahasil Adda.
16. Kathmandu Bakyauta Tahasil Adda.
17. Pallokirat (Chhathum) Bakyauta Tahasil Adda.
18. East No. 2 Bakyauta Tahasil Adda.
19. Dullu-Dailekh Bakyauta Tahasil Adda.
20. West No. 3 Bakyauta Tahasil Adda.

Justice and Ritual Purity

Nangle (Kathmandu)

Sinya Khatri, Dware of Nangle village in Kathmandu, reported to Major Kashinath that the illegitimate son, of Garudadhvaj had committed sexual intercourse with the daughter of Garudadhwaja's son born of his married wife. Major Kashinath reported the matter to the King. The following royal order was then issued on Jestha Sudi 8, 1866 (May 1809):

Incest with one's niece born of married parents by a person of illegitimate birth must be punished by death. Extract a confession from the guilty man and woman in the presence of Panchas, and cut off the penis and testicles of the guilty man.

Regmi Research Collection, Vol. 40, P. 44.

Mahottari

On Kartik Sudi 10, 1866 (October 1809), a royal order, issued in the name of the Subba and other officials and functionaries of Mahottari, contained the following provisions as well:

Dispense justice in the presence of local revenue functionaries (chaudhari, kanugoye, mokaddam), birtaowners, and other respectable people (bhala-admi) after extracting a confession (from the accused person. Have the confession authenticated by the Panchas and inflict punishment in consultation with them according to the nature of the offense.

Regmi Research Collection, Vol. 40, P. 116.

Western Hill Region

Royal order to respectable people (bhala manis), local headmen (thari, ghatu-budha), as well as all Brahman, Kshatriya, Khas, and Magar people of Rukum, Achham, Doti, Dullu, Dailekh, Bajhang, Bajura, Chhannu, Thalahara, Jajarkot, Panchthapala, Pyuthan, and Salyan, including Manahar Bista, Rama Singh Suwar, Mane Rawal, Birbal Rawal, Padman Rawal, Bir Singh Rawal, Guna Hitan, Chauru Bhandari, Sagun Bista, Mane Singh Bista, and Parimal Bogati of Achham.

We have received reports that you do not ostracize from the caste, nor perform chandrayana expiation for taking cooked rice from the hands of persons who are guilty of illicit sexual intercourse with step-mothers, grandmothers, sisters, wives of sons or younger brothers, maternal aunts, or sister's daughters.

In the future, identify the main person guilty of the following crimes, as well as persons guilty of association with them in the first, second, or third degree, offer expiation

fees to the men of Dharmadhikar Daivagnya Kesari Pandit against bulls signed and stamped by him, undergo expiation as prescribed therein, and attain ritual purity:-

- (1) Poisoning one's husband.
- (2) Sexual intercourse with a woman during her menstrual period.
- (3) Taking cooked rice or water from the hands of a woman during her menstrual period.
- (4) Taking parched cornmeal from the hands of a Dum (i.e. an untouchable person).
- (5) Taking cooked rice and water from the hands of a person who accepts oblations offered on the eleventh day after a death.
- (6) Taking cooked rice from the hands of a Brahman who offers fermented drinks (jand) to a cow.
- (7) Foreign into prostitution a Brahman woman who engages in sexual intercourse with the younger brother of her husband.
- (8) Willful sexual intercourse with a Dum woman.
- (9) Murder of a person belonging to the same clan (gotra).
- (10) Death of cows and bullocks who are in tether.
- (11) Taking of cooked rice by a jaisi Brahman from the hands of a Brahman woman who has engaged in sexual intercourse with five persons.

Niti rites alone are not sufficient for expiation for such crimes; ritual purity must be attained through smriti rites.

Expiation must be undergone for the crime committed twenty-two years ago by Kabya Kami of Thunigaun in Pyuthan by engaging in sexual intercourse with Bindri, a Magar woman.

A woman shall not milk a cow during her menstrual period. Any person who drinks such milk must undergo expiation.

Any person who does not undergo expiation in the manner mentioned above shall be severely punished.

Eastern Hill Region

Royal order to Majhis and Kumhals in the region east of the Arun river.

We have received reports that local amalis inflict severe fines and penalties whenever you commit any offense. Our father (King Ran Bahadur Shah) had prescribed the following penalties for Yakhas and Khambus, and we hereby make these rates applicable to you also:-

<u>Description</u>	<u>Penalty</u>
Infanticide	Rs. 15
Incest	Rs. 15 for man Rs. 12 for woman
Adultery	Rs. 12 for man (chak) Rs. 10 for woman (chakui)
physical injury	Rs. 5

Shrawan Badi 10, 1867 (July 1810)  
Regmi Research Collection, Vol. 39, P. 298.

Jumla

Royal order to the four Thanis, as well as Thalus and Mukhiyas of Jumla.

You have so far been paying fines at the uniform rate of five rupees for each offense, whether serious or minor. In the future, you are hereby ordered to pay heavier fines for serious offenses than for minor offenses.

Poush Badi 4, 1873 (December 1816)  
Regmi Research Collection, Vol. 36, P. 338.

Doti

Section 15 of administrative regulations for the Doti region promulgated on Thursday, Poush Sudi 4, 1902 (December 1845) in the name of Chautariya Bhima Bikrama Shah.

15. Establish an Adalat at Silgadhi and dispense justice in an impartial manner in case complaints are filed against amalis, thekdars, or jagirdars. Send bicharis to different areas to collect fines and penalties, as well as jitauri fees (from the winning party) as determined by Panchas and bicharis according to the nature of the offense.

From the income of the Adalat, pay salaries as follows:-

1. Subedar	...	Rs. 675
1 Bichari	...	Rs. 175
1 Jamadar	...	Rs. 205
1 Bahidar	...	Rs. 60
25 Peons	...	Rs. 500

Regmi Research Collection, Vol. 26, P. 41.

#### Khajanchi Umakanta Upadhyaya

On Poush Sudi 4, 1902 (December 1845), Umakanta Upadhyaya of Nuwakot, son of Chandrashakher, was appointed as Khajanchi (Chief of the Treasury). He was granted emoluments amounting to income from 2,000 muris of rice lands and homestead revenue amounting to Rs. 1,200. Of the rice-land assignment, 1,124 muris and 18 pathis was actually granted in the form of lands: the balance of 875 muris and 2 pathis was converted into cash at the rate of Rs. 25 for 100 muris.

Regmi Research Collection, Vol. 26, P. 52.

Umakanta Upadhyaya's predecessor, Taranath Arjyal, had been authorized to collect and appropriate as his personal income a commission of 2 percent of the value of precious stones, shawls, brocades, and other fabrics purchased by the Tosakhana from merchants. Umakanta Upadhyaya was granted the same privilege from Poush Badi 9, 1901.

Poush Sudi 4, 1902 (December 1845)  
Regmi Research Collection, Vol. 26, P. 52.

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Regmi Research (Private) Ltd.

ISSN: 0034-348X

Regmi Research Series

Year 16, No. 5

Kathmandu: May 1984

Edited By

Mahesh C. Regmi

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Regmi Research (Private) Ltd.

Lazimpat, Kathmandu, Nepal

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Confiscation of Birta Lands

On Wednesday, Shrawan Sudi 1, 1894 (July 1837), Karabir Pande, Kapardar at the Royal Palace, was ordered to confiscate all birta lands granted to or purchased by the following "criminals" (Khatuki), with the exception of those endowed as guthi for temples and roadside inns, and transmit the income from such lands to the Royal Palace:-

- |                         |                                  |
|-------------------------|----------------------------------|
| 1. Bhimsen Thapa        | 2. Sarup Bista                   |
| 3. Ranbir Thapa         | 4. Kisan Jaisi                   |
| 5. Mathbar Singh Thapa  | 6. Badal Singh Basnyat           |
| 7. Ser Jung Thapa       | 8. Jagati Karki                  |
| 9. Tila Bikram Thapa    | 10. Garja Singh Khatri           |
| 11. Narayan Thapa       | 12. Serman Singh and his brother |
| 13. Sarvajit Thapa      | 14. Bhavani Vaidya               |
| 15. Bhotu Thapa         | 16. Shivananda Vaidya            |
| 17. Dalel Singh Thapa   | 18. Biraj Bista                  |
| 19. Rudra Singh Basnyat | 20. Sharngadhar                  |
| 21. Dal Bahadur Thapa   |                                  |

Regmi Research Collection, Vol. 26, P. 664.

A few days previously, Bhimsen Thapa had been dismissed from the post of Mukhtiyar or Prime Minister. Along with several other persons, including General Ranbir Singh Thapa, Ekadev Vaidya, Shivananda, and Bhawani, he was accused of poisoning the infant Prince Devendra. (Chittaranjan Nepali, Janaral Bhimasena Thapa ra Tatkalina Nepala (General Bhimsen Thapa and contemporary Nepal), Kathmandu: 2013 (1956 A.D.) pp. 47-60).

Some of the birta lands of Bhimsen Thapa which had been confiscated according to the royal order mentioned above were subsequently restored to him. (Royal orders of Jestha Badi 3, and Marga Sudi 5, 1895, Ibid, pp. 60 and 282).

Land Revenue in Kaski Lamjung Rajya

In A.D. 1900-1, the total rice-land area in the Rana Prime Minister's rajya of Kaski-Lamjung, and the total amount of rent, were as follows:-

<u>Area</u> (in muris)	<u>Rent</u>	<u>Form of payment</u> Fractions omitted.
1,518	441 muris of paddy	Rs. 420 in cash at the conversion rate of 21 pathis a rupee.
<u>3,984</u>	<u>Rs. 895</u>	Rs. 895 in cash
Total area - 5,502 muris		
Total cash payment - 1,315		

In that year, a sum of Rs. 1,181 was remitted because of crop failure.

Jestha Sudi 3, 1958 (May 1901)  
Regmi Research Collection, Vol. 89, pp. 407-21.

#### Revenue from Thimi Town

The town of Thimi had been assigned as the Khuwa of Commanding-General Jagat Jung Bahadur Rana, the eldest son of Prime Minister Jung Bahadur.

The Khuwa yielded an income of Rs. 11,526 and 200 wooden beams a year. Because the amount was too high, no person came forward to take up the contract for collection. On Shrawan Badi 12, 1928 (July 1871), therefore, the contract was given to Subba Bhawanipata Singh and his sons for Rs. 10,101 only, in addition to the 200 beams for one year.

Regmi Research Collection, Vol. 55, pp. 121-122.

On Bhadra Badi 14, 1929 (August 1872), Prime Minister Jung Bahadur ordered that Commanding-General Jagat Jung Bahadur Rana's khuwa in Thimi be replaced by a cash payment, and that the town be placed under Jagera tenure.

Regmi Research Collection, Vol. 55, pp. 114-15.

The revenue collection contract was renewed for a three year period on Marga Sudi 1, 1929 (November 1872) under jagera tenure but the obligation to supply beams was remitted.

Regmi Research Collection, Vol. 55, pp. 128-129.

Prime Minister Ranoddip Simha reassigned Thimi as a khuwa, but the document does not mention the name of the recipient. During a three-year period between 1883 and 1885, a contract for the collection of revenue in that town was granted to Jit Bahadur Shrestha of Bhaktapur for Rs. 8,087 a year. It was renewed for another three-year period on Ashadh Badi 6, 1940 (June 1883) for an increased payment of Rs. 8,415.

Regmi Research Collection, Vol. 85, pp. 431-432.

### Garhunkot

On Magh Badi 9, 1902 (January 1846), Vidyadhar Pandit was granted a contract for the collection of revenue from eight villages in Garhun. A total payment of Rs. 157 was stipulated.

Regmi Research Collection, Vol. 1, P. 413.

On Ashadh Badi 14, 1924 (June 1866), Prithvi Pati Khan, a member of the former ruling house of Garhunkot, was granted the title of Raja with pakho lands yielding a revenue of Rs. 300 under birta tenure. He was granted a contract to collect revenue on jagir lands in the territories under his jurisdiction, for Rs. 3,677 every year. Garhunkot thus became a Thekka-Rajya.

Regmi Research Collection, Vol. 1, pp. 429-433; Vol. 47, P. 174.

On Ashadh Badi 9, 1951 (June 1894), the Thekka-Rajya was reconfirmed on the same terms (i.e. payment of Rs. 3,677 a year on a contractual basis) in the name of Prithvipati Khan's son and successor, Raja Purna Chandra Shah.

Regmi Research Collection, Vol. 1, pp. 429-433; Vol. 52, pp. 16-19.

### Satsayakudi

Before the Gorkhali conquest, Satsayakudi formed a part of the territories of the Kingdom of Jumla.

The Raja of Jumla had granted Satsayakudi an autonomous status with a Prince of the royal house of Bajhang as Raja.

After the Gorkhali conquest, the Raja of Satsayakudi was made liable to pay thek revenue to the government.

In 1844, the eldest royal Princess, a daughter of King Rajendra, was married to Raja Bikram Bahadur Shah of Bajura. Satsayakudi was then granted as her dowry and made a part of Bajura Rajya.

In 1871, Prime Minister Jung Bahadur recognized Mukunda Simha as Raja of Satsayakudi subject to the payment of thek revenue amounting to Rs. 326 a year.

In 1886, Prime Minister Bir Shumshere again incorporated Satsayakudi into the Rajya of Bajura.

### References

1. "Recognition of Mukunda Simha as Raja of Satsayakudi", Marga Badi 12, 1927 (November 1870), Regmi Research Collection, Vol. 64, pp. 257-61.

2. "Recognition of Dipa Bahadur Shah as Raja of Bajura", Marga Badi 11, 1946 (November 1889). Regmi Research Collection, vol. 50, pp. 532-41.

#### Revenue Contracts in Banke

In the Vikrama year 1955 (A.D. 1898), the following sources yielded the following amounts of revenue through collection under the ijara system in Banke district in the far-western Tarai region. The ijara was held by Mahavir Lal, a Marwari businessman of Nepalgunj.

<u>Source</u>	<u>Amount</u> (In Kampani rupees)
1. <u>Sundhuwai</u> (gold mining) ...	Rs. 23-5½
2. <u>Jalkar</u> (Fishing) ...	Rs. 177-10½
3. <u>Singada</u> (water Chestnut) ...	Rs. 36-9½
Total	Kampani Rs. 237-9½

Mahabir Lal defaulted the fourth quarterly installment, and so relinquished the ijara. No other person made an offer to take it up.

Sardar Dhundi Raj Shahi, Chief of the Naya Muluk Goswara Adda, then issued the following instructions to the Banke Mal on Poush Badi 8, 1956 (December 1899):

- (1) Make efforts to issue an ijara for all these three sources as far as possible.
- (2) If this is not possible, grant an ijara for any of these sources separately to the highest bidder.
- (3) If it is not possible to appoint an ijaradar in the manner mentioned above, make arrangements for collection subject to the condition that the previous amount of revenue does not decline.

In pursuance of this order, the Banke Mal arranged an ijara for Sundhuwai for the usual amount of Rs. 23-5½. However, it was unable to make similar arrangements for Jalkar and Singada, which had previously yielded a total revenue of Rs. 214-3½.

The Banke Mal, therefore, made arrangements for amanat management of Jalkar and Singada but was able to raise only Rs. 86. Particulars were as follows:-

<u>Description</u>	<u>Quantity</u> (in maunds)	<u>Sale-price</u>	<u>Amount</u>
1. <u>Jalkar</u> (fishing)	32	Rs. 2 per maund	Rs. 64
2. <u>Singada</u> (water chestnut)	44	8 annas per maund	Rs. 22
Total:			Rs. 86

The amount of revenue collected from these two sources thus declined from Rs. 214-3½ to Rs. 86. This meant a loss of Rs. 128-3½.

The Banke Mal submitted a petition praying that it be allowed to write off the loss. Prime Minister Bir Shumshere approved the request.

Jestha Sudi 2, 1957 (May 1900)  
Regmi Research Collection, Vol. 89, pp. 160-72.

#### Guthi Endowment in Godavari

On Sunday, Bhadra Badi 3, 1907 (August 1850), Her Majesty the Senior Queen made a guthi endowment of 100 muris of rice-lands in Bisankhu, Patan, for the following purposes:-

- (1) Daily religious worship at the Godavari-kunda.
- (2) Repair of rest-houses and other buildings every year.
- (3) Supply of food to Brahmans, mendicants, etc. during the 12-year Godavari festival.

A royal order (lal mohar) confirming this endowment was issued on Tuesday, Kartik Badi 12, 1912 (October 1855). The 100 muris of rice-lands endowed as guthi were made free from all taxes and levies (sarba-kara-akara-sarbanka-maf).

An abstract translation of the rest of the royal order is given below:-

"Rents from these 100 muris of rice lands shall be converted into money at the following rates and the guthiyar-Priest, Shankara Puri, shall operate the guthi in the manner mentioned below. Major-Captain Dalajit Bista shall check whether or not the guthi is operated accordingly.

"The Chief Priest (Guru Purohit) Tirtha Raj Panditju, recited the sacred text (Sankalpa) of endowment, and the Commander-in-Chief, General Bam Bahadur Kunwar Ranaji, poured the holy water. The boundaries of the endowed rice-lands were demarcated by Tharghar Pratiman Rana, and Surveyors

(Dangol) Hari of Brahman Tol and Asamadu of Tyoud Tol, in the presence of the following local functionaries and other respectable people (bhala manis) : Dware Ramakanta and Tharis Devadatta Padhya and Raghunath Padhya of Bisankhu, Jamadar Gambhir Singh Khatri, Subba Rana Singh Khatri, Rana Jung Khatri, Lachhiman Bista, Padma Singh Khatri, and Sarup Basnyat, Kashirama Thapa, a military employee (Sipahi) deputed from the center (sadar), and Kalya Damai, Katuwal of Bisankhu.

Particulars of Income

Total income from 100 muris of rice-lands at Dugam in Bisankhu for twelve years:-

1. 243 muris of paddy, at the rate of 20½ muris a year, converted at the rate of nine pathis a rupee, totalling Mohar Rs. 542, equivalent to 16-ganda	... Paisa Rs. 742-8
2. 63 muris of wheat, at the rate of 5½ muris a year, converted at the rate of six pathis a rupee, totalling Mohar Rs. 210, equivalent to 16-ganda	... Paisa Rs. 288-12
3. GhikhanC Levy at the rate of Rs. 3-2½ a year, totalling Mohar Rs. 37-14 for 12 years, equivalent to 16-ganda	... Paisa Rs. 52-1¼
Total:	Paisa Rs. 1083-5¼

Particulars of Expenditure

1. Daily religious worship at the Godavari-kunda:

Sandalwood	...	1 paisa
Red sandalwood	...	1 paisa
Rice	...	2 paisa
Incense	...	1 paisa
Wick	...	1 paisa
Food offerings	...	1 paisa
		7 paisa daily
		or Rs. 9-13½ a year.
For 12 years	...	Rs. 118-2



## 2. Emoluments for one year:

Guthiyar-priest	...	Rs. 25
Sweeper	...	Rs. 6
		<hr/>
		Rs. 31 a year
For 12 years	...	Rs. 372

## 3. Repair of walls and buildings:

Bricks and tiles	...	Rs. 2
Lime	...	Rs. 4 (at R. 1 per muri)
Brick-layers, plasterers, carpenters, laborers, etc.	...	Rs. 5-10 (Thirty persons at 3 annas daily)
		<hr/>
		Rs. 11-10 a year
For 12 years	...	Rs. 151-10

## 4. For the 12-year Godavari festival:

1. Cost of feeding 27 Brahmans for nine days	...	Rs. 243
2. Bread and Yoghurt meals	...	Rs. 121-8
Ritual offering of money (Dakshina) (Dakshina)	...	Rs. 121-8
		<hr/>
Total:		Rs. 323
Food for beggars, mendicants, etc. for nine days	...	Rs. 80
		<hr/>
Total expenses	...	Rs. 964-10
Surplus	...	Rs. 118-11 $\frac{1}{4}$

The surplus income was to be kept in reserve to meet contingencies due to failure of crops, etc.

The royal order concluded as follows: "The anger of Sri Godavari shall fall on any person who commits greed or sin in respect to this endowment. Any person who confiscates land granted by him or by others shall become a worm and live in human excrement for 60,000 years."

Tuesday, Kartik Badi 12, 1912 (October 1853).  
Regmi Research Collection, Vol. 58, pp. 6-14.

Land Taxation in Bajhang

A revenue settlement of Bajhang Rajya was undertaken during A.D. 1892-93. A separate office known as Bajhang Rajya Nap-janch Adda was established for that purpose.

Section 4 of the regulations promulgated in the name of the Bajhang Rajya Survey Office for the purpose read as follows:

"The following categories of lands shall be measured in Bajhang Rajya under the Sarpat Survey Program:-

- (1) Lands belonging to the Rajya.
- (2) Birta lands of the Raja of Bajhang.
- (3) Daijo-Birta lands.
- (4) Lands owned by relatives(bhaiyad) of the Raja.
- (5) Newly- reclaimed lands.

"The area of a muri for lands of different grades shall be calculated as follows:-

<u>Grade</u>	<u>Area</u>
Abal	4 x 4 chains per muri
	8 X 8 chains per 4 muris or 1 ropani.
Doyam	4½X4 chains per muri, or
	9X8 chains per 4 muris or 1 ropani.
Sin	5X4 chains per muri or
	10X8 chains per 4 muris or 1 ropani.
Chahar	6X4 chains per muri, or
	12X8 chains per 4 muris or 1 ropani.

"The boundaries of each plot shall be demarcated. The Surveyor (dangol) shall hold one end of the measuring-chain, and the cultivator (mohi) the other. The plot shall be accurately measured, so that there may be no discrepancy. Fractions less than half of a chain shall be ignored, while a half-chain shall be treated as a full chain."

On the basis of this regulation, the Sadar Dafdarkhana recommended that the Bajhang Rajya Survey Office be ordered as follows: "Measure lands according to the regulations that have been promulgated in your name and assess taxes (Kut-tiro) accordingly. If it appears that the Government will suffer any loss, calculate the amount of such loss and submit a report, and take action as directed. You shall be punished according to the law if it is proved that you have shown undue favor to any one while measuring lands and assessing taxes in the manner mentioned above."

On Poush Badi 13, 1948 (December 1891), The Bajhang Rajya Survey Office reported that during the revenue settlement of 1924 Vikrama (A.D. 1867), land tax rates in Bajhang had been prescribed as follows:-

<u>Grade</u>	<u>Rate per 100 muris</u>
Abal	Rs14
Doyam	Rs13
Sim	Rs12-8
Chahar	Rs11

The report added, "Land taxes have traditionally not been assessed in the form of paddy. In the case of Abal land, the area per muri will remain unchanged according to the present regulations. But because the area per muri is higher, and the rates of tax per muri are lower for Doyam, Sim, and Chahar, compared with Abal, it seems that the Government will suffer losses in terms of both the area of land and the rate of tax. In our opinion, therefore, the existing differential rates of taxes on Abal, Doyam, Sim, and Chahar grades should be retained, and a standard muri comprising an area of 16 square chains be used for all these four grades."

The Sadar Dafdarkhana, in a note appended to this report on Falgun Badi 8, 1948 (February 1892), informed the Bajhang Rajya Survey Office that the regulations could not be amended. In other words, the recommendation of the Bajhang Rajya Survey Office was rejected. The order reached Bajhang eighteen days later on Falgun Sudi 10, 1948.

The Bajhang Rajya Survey Office then submitted the following report: "Section 2 of the regulation promulgated in the name of this office prescribes that in case any provision of the regulations seem harmful to the interests of the King and the subjects, the office should report the matter along with its recommendation through the Sadar Dafdarkhana and take action as directed. In this country, lands of all the four grades, Abal, Doyam, Sim, and Chahar,

have been measured at the rate of 16 square chains to the muri. If now the area of the muri is increased for the lower grades, while keeping the tax rates at the usual level, this will mean that people will get double benefits. This will result in considerable loss of revenue to the government.

"If the area of the muri is determined according to the grade of land, and the tax rate is increased to an average amount of Rs 14 per 100 muris, the government will have to bear losses. However, we have received no order to increase the tax rates. If the traditional system of land measurement is retained, no losses will result. Moreover, it will be easy to check the area of specified holdings. If the people are unable to understand that the tax has been fixed at an average rate because the area of the muri has increased, they may complain that tax rates have been increased. This will increase the burden of work, make it impossible to complete it within the prescribed deadline, and thereby cause additional losses.

"The people of Bajhang have been demanding that their rice-lands not be measured. They have pointed out that such measurement has not been done in Jumla and Dailekh as well. If now tax-rates are fixed on the basis of the new system of measurement prescribed in the regulations, they may submit complaints and further obstruct the survey work."

The Bajhang Rajya Survey Office, therefore, reiterated its recommendation that the system of land measurement, and the rates of tax, be left unchanged. It pointed out that in case this was done, neither the government nor the people would suffer losses, and it would be possible to check the area of particular holdings in the records."

The Muluki Adda Submitted the following opinion in the matter:

"Regulations had been promulgated prescribing that lands shall be measured as follows:-

Abal	----	16 square chains per muri
Doyam	----	18 do do
Sim	----	20 do do
Chahar	----	24 do do

One Khet (2400 square chains according to the new system) of chahar land will yield Rs 11 at the existing rate. According to the old system, the area would have been  $1\frac{1}{2}$  Khets, which yielded Rs 16-8. The government will thus lose Rs 5-8 under the new system. The loss in the case of

Abal land will amount to Rs 2-8 at the rate of Rs 14 per 100 muris (or 1 Khet). Moreover, under the new system, people will not be able to find out whether there has been any discrepancy in the measurement of their lands. If a uniform rate of Rs 14 is applied in the case of lands of all the four grades, people will complain that the rate has been raised from Rs 11 to Rs 14 for lands of Chahar grade. Similar losses will result in the case of lands of Doyam and Sim grades as well."

The Muluki Adda, therefore, endorsed the recommendation that the traditional system be left unchanged.

On Ashadh Badi 4, 1949 (June 1892), Prime Minister Bir Shumshere ordered that lands of all the four grades be measured on the basis of a uniform unit in the traditional manner, and that the differential tax rates be retained.

A standard muri of 16 square chains was thus adopted as the unit of measurement for lands belonging to all the four grades: Abal, Doyam, Sim, and Chahar. In other words, all lands were located as of Abal grade for the purpose of measurement. The total amount of revenue was expected to go up by 50 to 100 percent under the new arrangement.

#### References

1. "Order Regarding Land Measurement and Taxation in Bajhang, Ashadh Sudi 2, 1949 (June 1892)  
Regmi Research Collection, Vol 58, pp. 537-50.
2. "Order Regarding Collection of Fees on Land-Tax Records, Chaitra Sudi 7, 1949 (March 1893).  
Regmi Research Collection, Vol 58, pp. 228-38.

#### Disbursements from Ijara Revenues in Bhadgaun

On Wednesday, Jestha Sudi 8, 1872 (May 1815), Kulananda Jha was ordered to disburse a total amount of Rs 17,084-15 from the ijara revenues of Bhadgaun. The breakdown was as follows:-

1. Rs 14-5 daily for ritual gifts (dana) for 12 months from Baisakh Badi 1 to Chaitra Sudi 15, 1872 Vikrama, through the priest ----- Rs 5,152-8
2. Rs 398-7½ for ritual gifts on the first day of each solar month (Sankranti) from Jestha 1, 1872 to Baisakh 1, 1873 Vikrama ----- Rs 4,781-7
3. For feeding mendicants (Jogi) in front of the Kumari, as well as for ritual money gifts (bheti, dakshina) and materials on Bhadra Badi 10 --- Rs 300

4	4. For buffaloes, goats, and other materials required for ceremonies during the Bada-Dashain festival at Gorkha and Nuwakot on Bhadra Sudi 1, -----	Rs 610
	5. For recitations of the <u>Puranas</u> at different places during the four-month (Chaturmasa) period to be disbursed on Kartik Sudi 11 :	
	Ritual money gift (dakshina) to Pandits reciting the <u>Puranas</u> -----	Rs 2,183
	do-to Brahmans worshipping the <u>Puranas</u> -----	Rs 123
	Total -----	Rs 2,306
	6. Religious ceremonies at different places during the <u>Chaturmasa</u> period to be disbursed on Kartik Sudi 15 -----	Rs 1,500
	7. Amount to be deposited daily during the <u>Chaturmasa</u> period at the Tosa Khana -----	Rs 800
	8. Ritual money gift (dakshina) for Ganga water offered to Baijanath on the Shivaratri festival on Falgun Badi 14, to be disbursed on Magh Sudi 5 -----	Rs 665
	9. do. to Sri Pashupati, to be disbursed on Falgun Badi 13 -----	Rs 970

Regmi Research Collection,  
Vol. 39, pp. 654-56.

#### Land Reclamation and Settlement

##### Subedar Jayanta Khatri's Assignment.

Royal order to the Kajis, Sardars, Subedars, and Amalis of Vijayapur:

"Subedar Jayanta Khatri had been granted authority to promote reclamation and settlement on virgin lands (Kalabajar) east of the Kamala river which do not fall within the jurisdiction of the Subba-Ijaradar (of Morong).



Orders had been issued not to impress forced and unpaid labor services (hulak, beth, begar) on the settlers for a period of three years, and not to obstruct the reclamation and settlement program in any manner.

"We have now received complaints that the local Fouzdars are causing obstructions in procuring settlers from India (Moglan). Any person who prevents settlers from India from reclaiming virgin lands other than under the ijara of the Subba may have to compensate the loss of revenue.

"Pay customs duties (sair, chadhti, namti) on exports and imports as usual to the Subba under the ijara, revenues on lands assigned to the military to the appropriate Fouzdars, and those under the jurisdiction of Subedar Jayanta Khatri to him; so that there may be no quarrel regarding jurisdiction."

Saturday, Baishakh Badi 9, 1867 (April 1810),  
Regmi Research Collection, Vol 39, P. 150.

Royal Order to Yekunda.

"Ten annas out of every sixteen annas of revenue collected from homestead and other taxes (serma, udhauni, padhauni), customs duties (sair, chadhti, namti), and market duties (gola, gujj) collected from (the inhabitants of) virgin lands (Kalabādnar) reclaimed and settled by you the hill and tarai areas has been assigned to the Shiva Prasad Company. Make payments through Subedar Jayanta Khatri. Retain the balance of six annas as your income in consideration of your labor and effort. Do not feel anxious. If anything needs to be done, report the matter to us and we will do it."

Tuesday, Baisakh Sudi 5, 1867 (April 1810)

Regmi Research Collection, Vol. 39, pp. 175-76.

Royal Order to Champa Sing Gurung

"Ikunda had been granted authority to reclaim virgin lands on the banks of the Tista river, while you had been appointed as Dittha there. The area has now been assigned to the company. You are therefore ordered to come to us."

Tuesday, Baisakh Sudi 5, 1867 (April 1810)

Regmi Research Collection, Vol-39, p. 175

Royal Order to Hari Krishna Das.

Hari Krishna Das, Ijaradar of Morang, was ordered to transmit Rs 2,000 from Ijara revenues for the Vikrama year 1867 (A.D. 1810) to Subedar Jayanta Khatri for the supply of credit (bhota, tagavi) for the reclamation and settlement of virgin lands in Sikkim.

Sunday, Baisakh Sudi 9, 1867 (April 1810)

Regmi Research Collection, Vol. 39, p. 190.

Royal Order to Ik Nagri

"Subedar Jayanta Khatri has reported to us that you have been loyal and faithful to us. This is what a servant (sevaka) should do. You have done well. In the future also, procure settlers from the adjoining areas in consultation with Subedar Jayanta Khatri and promote settlement in our territories. Work faithfully, and we shall make necessary arrangements for you through the Subedar."

Sunday, Baisakh Sudi 9, 1867 (April 1810)

Regmi Research Collection, Vol-39, pp. 190-91

Royal Order to Sardar Gaja Sing Khatri

"Procure settlers, both respectable persons (bhala manis) and ryots, from India (Moglan) to reclaim and settle on virgin lands in Morang district. Promote reclamation and settlement in such a manner that land-tax revenue (mal) does not decline, and there is no conflict of jurisdiction with the local revenue authorities (amil). Issue land-allotment certificates (patta) to the settlers, and we shall issue royal orders (Lal Mohar) endorsing such certificates."

Sunday, Jestha Sudi 15, 1867 (May 1810)

Regmi Research Collection, Vol. 39, p. 230.

Land Reclamation in Saptari

A nine-year ijara for reclamation and settlement in the mouja of Chhapki (Jagadar-Sudhpur Parganna) of Saptari district, commencing Baisakh Badi 1, 1867 (April 1810), was granted to Baburaiya Das. The following payments were stipulated, inclusive of land taxes (mal-jihat), and miscellaneous other taxes (Kul-hukubat, mutarfa, bihadani, sagaudha, amilan-dastur), but exclusive of Crown levies (Raja-anka) and underground treasure (Kalyanadha):-

<u>Year</u> (Vikrama)	<u>Amount</u> Rs/annas
1867	Rs 5
1868	Rs 6-4
1869	Rs 9-6
1870	Rs 16-6½
1871	Rs 32-13
1872	Rs 49-3½
1873	Rs 67-10½
1874	Rs 84-9½
1875	Rs 95-2½

The order added, "Procure settlers from Birta and jagir lands, as well as from India. Settle them, and transmit the stipulated amount to the Amil every year. If the mouja has already been reclaimed and settled by others, do not make any claim. Do not procure settlers in such a manner that land-tax revenue from Raiker lands declines. You shall be punished if you do so. The Amil shall not exact forced and unpaid labor (beth, begar), or collect any ad hoc payments (fermais) from the settlers."

Friday, Ashadh Badi 13, 1867 (June 1810)

Regmi Research Collection, Vol. 39, pp. 244-45.

#### In Mahottari

A seven-year ijara for reclamation and settlement in the mouja of Rudauli (Koradi Parganna) in Mahottari district was granted to Lal Das on Sunday, Aswin Sudi 2, 1867 (October 1810) on the same terms and conditions. The amount of payment ranged between Rs 5 in 1867 Vikrama and Rs 67-10½ in 1873 Vokrama.

Regmi Research Collection, Vol. 39, pp. 425-26.

#### In Manahouri, Saptari District

A ten-year ijara for land reclamation and settlement in the mouja of Mahanouri (Maljhamuna Parganna) in Saptari district was granted to Ramadhan Das and Bhiton Khan on Sunday, Aswin Sudi 2, 1867 (October 1810). The amount due

under the ijara was progressively raised from Rs 5 in 1867 Vikrama to Rs 101-1½ in 1876 Vikrama. The order concluded as follows: After the expiry of the ten-year period, the lands shall be measured, and taxes shall be assessed thereon at regular rates, and a seven year patta shall be issued in the name (of the ijaradars).

Regmi Research Collection, Vol. 39. pp 423-24.

### In Morang

Deva Narayan Upadhyaya Poudyal had reclaimed and resettled forest lands on the Nepal-India border in Morang. In appreciation of this service, he was granted a tract of virgin lands in the Bhatgaun-Sukhim area of Morang against a yearly thek payment of Rs 2½, payable to the local military unit.

Tuesday, Baisakh Badi 10, 1869 (April 1812).  
Regmi Research Collection, Vol. 41, pp. 84-85.

A similar grant was made to Shakti Ballabh Upadhyaya Lansal on the same day.

Regmi Research Collection, Vol. 41, pp. 85-86.

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Regmi Research (Private) Ltd.

ISSN: 0034-348X

Regmi Research Series

Year 16, No. 6

Kathmandu : June 1984

Edited By

Mahesh C. Regmi

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A Special Assignment for Sardar Gaja Sing Khatri

On Thursday, Jestha Sudi 5, 1867 Vikrama, Subba Achal Thapa of Saptari-Mahottari, and local revenue functionaries (Fouzder, Chaudhari, Kanugoye, Jesthraiya) were informed that Sardar Gaja Sing Khatri had been sent to resolve border dispute in the village of Jasmanpur. They were ordered to meet him at the border and comply with his orders and instructions.

Regmi Research Collection, Vol. 39.P. 207.

The same day, Gaja Sing Khatri was appointed as Sardar and given a jagir assignment of 8 Khets (800 muris) of rice-lands and Rs1600 as Khuwa. The assignment entailed the obligation to equip 22 men with muskets and maintain one piece of cannon. The jagir tenants were placed under the obligation of providing portage services for the transportation of military equipment and supplies when necessary.

Regmi Research Collection, Vol. 39. PP. 205-6.

Royal order to the jamadar and other personnel of the Sri Bhagawati Dal Company: " We have deputed Sardar Gaja Sing Khatri on a special mission to Saptari and Mahottari. Place yourselves under his command as soon as you receive this order and obey his orders. You shall be severely punished if you do not do so."

Friday, Jestha Badi 14, 1867 (May 1810)

Regmi Research Collection, Vol. 39. P. 203.

On Saturday, Jestha Sudi 3, 1807 Vikrama, the Subedar of the Sri Bhagawati Dal Company was informed that the company had been placed under the command of Sardar Gaja Sing Khatri from the Vikrama year 1808.

Regmi Research Collection, Vol. 39. P. 205.

Revenue Collection in Bhadgaun

On Monday, Baisakh Sudi 3, 1870 (April 1813), Shiva Ratna was granted an ijara for the collection of revenue from different sources in Bhadgaun. The ijara was effective for a one-year period between Jestha Badi 1, 1870 and Baisakh Sudi 15, 1871 Vikrama.

The amount stipulated for payment to the government under the ijara was Rs 17,501.

The ijarader was allowed to appropriate revenues from all sources in Bhadgaun, as well as income from judicial fines and penalties (danda, jitauri), escheats (maryo-apatali), and fines and penalties collected from persons convicted of Panchakha crimes subject to a limit of Rs 100 each.

Regmi Research Collection, Vol. 41. p. 260.



Collection of Customs Duties

In Hitaura-Parsa Region: Nandalal Shukla was granted an ijara for a one-year period from Baisakh Badi 1, 1870 Vikrama for the collection of customs duties (sair, jagat, nikasi, paisari) in the Pargannas of Naurangiya and Sidhmas in Bara-Parsa district, as well as in Chisapani, Hitaura, and Garh-Parsa.

The amount stipulated for payment to the Tosakhana (treasury) under the ijara was Rs 11,501.

The order contained the following instructions:-

1. Do not harass traders and merchants by increasing the rates of duties.
2. Do not collect duties or anything that has been customarily exempt.
3. Do not leave anything on which duties have customarily been collected.
4. Collect duties on exports and imports according to the customary tariff schedule.
5. Collect duties at double rates from persons who attempt to smuggle goods. In case such smugglers take resort to force, confiscate the goods.

Saturday, Jestha Sudi 13, 1870 (May 1813)

Regmi Research Collection, Vol. 41. PP. 278-79.

Sexual Relations With Widowed Sisters-in-law

Some information on this subject had been given in Regmi Research Series, Year 2, No. 12, December 1970, PP. 279-81, and year 3, No. 1, January 1971, PP. 1-2.

The following document, obtained from the Ministry of Foreign Affairs of His Majesty's government, has been published by Dr. Krishna B. Thapa, Lecturer in the History Department of the Kirtipur Campus of the Tribhuvan University in Voice of History, Vol. VIII, No. 1, December 1982, (published by the History Instruction Committee of the Tribhuvan University), PP. 1-3. (Abstract Translation by Mahesh C. Regmi).

Royal order to Sardar Kanak Simha Mahat of the four Adalats (Kotaling, Itachapli, Taksar, and Dhansar).

" In the Vikrama year 1893 (A.D. 1836), regulations had been promulgated prohibiting sexual relations with the wife of one's own elder brother among all castes and communities in our Kingdom, with the exception of Kirati, Limbu, Lapcha, and Jumli.

" Dwares and other official functionaries (Rakami) who let off persons who engage in sexual relations with sister-in-law in contravention of these regulations after only collecting fines without our approval, and men belonging to the Upadhyaya, Jaisi, or Maithili Brahman caste who engage in sexual relations with the wives of their older brothers, both blood-brothers and step-brothers, born of the same father, shall be arrested, and confessional statements shall be obtained from them. They shall be degraded to a lower caste, their head shall be shaved (mudnu), and they shall be banished from the country"

" In case the guilty persons belong to the Gotiya (i.e. Thakuri) or Chhetri caste, they shall be degraded to a lower caste and banished from the country."

" In case the guilty persons belong to other Chhetri and Rajput castes, their genitals shall be cut off.

" In case the guilty persons belong to the Sanyasi caste, or to the Bhat caste which is equivalent to the Brahman caste, they shall be degraded to a lower caste, their property shall be confiscated, and they shall be banished from the country."

" In case the guilty persons belong to any of the six castes mentioned below, their genitals shall be cut off: Khas, Magar, Bhat equivalent to Sipahi, Gurung, Ghale, and Sunuwar.

" In case the guilty persons belong to the Newar caste, their property shall be confiscated, and they shall be ostracized from the caste."

" In case the guilty persons belong to any of the following Prajajat castes, they shall be enslaved: Balami, Majhi, Danuwar, Murmi, Bhoté, Chepang, Pahari, Dorai, Kumal, Baramu, Hayu, Rohani, Put (war)."

" In case the guilty persons belong to any of the following castes whose touch results in the ritual pollution of water, their property shall be confiscated: Kami, Sarki, Sunuwar, Damai, Gaine, Hurke, Kadera, and other similar castes."

" In case any person belonging to the Chhetri or Rajput caste engages in sexual relations with a woman related as sister-in-law within five generations of blood relationship (had), his property shall be confiscated, and he shall be degraded to a lower caste. In case the woman is so related within six or more generations, the guilty person shall be punished with a fine."

" In case any person belonging to the Sanyasicaste, or to the caste of Bhat equivalent to Brahman, engages in sexual relations with a woman related as sister-in-law within five generations of blood relationship (had), his property shall be confiscated. In case the woman is so related within six or more generations, or is otherwise related (Saneha), he shall be punished with a fine."

" In case any person belonging to the Khas, Magar, Bhat equivalent to Sipahi, Gurung, Ghale, or Sunuwar caste engages in sexual relations with a woman related as sister-in-law within five generations, his property shall be confiscated. In case the woman is so related within six or more generations or is otherwise related (saneha), he shall be punished with a fine."

" Persons belonging to Newar castes who engage in sexual relations with a woman related as sister-in-law within five generations shall be severely punished. In case the woman is so related within six or more generations, or is otherwise related (sanata), they shall be punished with a fine."

" Persons belonging to the Balam, Majhi, Danuwar, Murmi, Bhote, Chepang, Pahari, Darai, Kumal, Baramu, Hayu, Rohani, Pun, and other Praja castes who engage in sexual relations with a woman related as sister-in-law within five generations shall be severely punished. If the woman is so related within six or more generations, or is otherwise related (saneha), they shall be punished with a fine."

" Persons belonging to the Kami, Sarki, Sunar, Damai, Gaine, Hurke, Kadera, and other castes whose touch results in the ritual pollution of water shall be severely punished in case they engage in sexual relations with a woman who is related as sister-in-law within five generations or is otherwise related (saneha); in case the woman is so related within six or more generations, they shall be punished with a fine."

" Between Magh 1901 and Jestha 1902 Vikrama, the traitor, Mathbar Simha Thapa, had proclaimed that prohibition on sexual relations with sister-in-law had been abolished. A fee (baksauni) shall be collected from those who have engaged in sexual relations with their sister-in-law on the basis of that proclamation, and the man and the woman shall be separated. If they have produced children in the meantime, such children shall be placed under the custody of the father."

" Obtain a confession from dwares and other official functionaries (rakami) who impose fines and penalties at their discretion without our approval, and punish them with fines. Issue a proclamation ordering people belonging to all the four castes and the thirty-six sub-castes to comply with these regulations.

Jestha Badi 11, 1903

(May 1846)

(Note: The meaning of the term saneha is not clear.)

#### Water-Mills in Banepa

On Friday, Jestha Sudi 6, 1867 (May 1810), Taudhik was granted an ijara for two water-mills (ghatta) at Chasidol in Banepa.

Payment stipulated under the ijara amounted to Rs 101 a year. Taudhik was ordered to transmit the amount through the Dware of the village.

The order imposed a ban on the grazing of cows and buffaloes on the channels supplying water to the mills.

Regmi Research Collection, Vol. 39. P-221.

On the same day, Bhajudhan Newar was granted authority to construct a water-mill below Bhanu-Gwatha in Banepa with water brought from the Pakodol and Sinagaldol areas. He was granted an ijara to operate the mill for five years beginning Jestha Sudi 10, 1867 Vikrama on payment of Rs 10 every year.

Regmi Research Collection, Vol. 39. P-221.

#### The Baglung Mint

On Friday, Ashadh Badi 12, 1867 (June 1810), the following royal orders were issued for minting Gorakhpuri coins at the Baglung Mint:-

- (1) to Kaji Ambar Simha Thapa: " The new mint at Baglung-chaur has been placed under amanat management and Subba Jabar has been granted authority to mint Gorakhpuri coins there. You are hereby ordered to make available dies, weights, etc. as well as the alloy (chasni) used for minting the Gorakhpuri coins which are in circulation in Palpa."
- (2) to Kaji Amara Simha Thapa: " We hereby order you to obtain dies and weights from Kaji Ambar Simha Thapa of Palpa for minting Gorakhpuri coins at the new mint of Baglung-chaur. Use the same alloy (chasni) as in Palpa and manage the mint on Amanat basis. Transmit income from the mint to the Toskhana (treasury) every year, submit the accounts for audit, and obtain clearance.

Regmi Research Collection, Vol. 39. P-233.

The same day, the following royal order was issued in the name of Amalis, Dwares, Jethabudhas, Tharis, traders, merchants, and the common people of all castes and groups in the region situated west of the Chepe and Marsyangdi rivers and east of the Bheri river: " We have taken over the management of all mines under the amanat system and imposed a monopoly in the copper trade. We have also granted authority to Subba Gabar to mint paisa coins at the Beni and Baglung-Chaur Mints. Supply the entire output of copper from your area to the mints and obtain payment at current prices. Do not allow any leakage of the metal to other places. In case any trader or merchant smuggles copper, the appropriate local functionary shall seize the metal and transmit it to the mint. He shall be severely punished if he does not do so.

Ashadh Badi 12, 1867 (June 1810)

Regmi Research Collection, Vol. 39. P-234.



An Inscription of 678 Vikrama

The following inscription dated 45 Manadeva Samvat, corresponding to 678 Vikrama, or A.D. 521, is published in:

- (1) Bhagvanlal Indraji and G. Buhler, "Inscriptions from Nepal," The Indian Antiquary, No. 9, June 1880.
- (2) R. Gnoli, Nepalese Inscriptions in Gupta Characters, Rome, 1956, No. 48.
- (3) Dhanavajra Vajracharya, "Tundikhelako Amshuvarma Ko Abhilekha," (Inscription of Amshuvarma at Tundikhel), in Licchavikala ko Abhilekha (Inscriptions of the Licchavi period), Kirtipur: Institute of Nepal and Asian Studies, Tribhuvan University, 2030 (A.D. 1973), PP. 378-79.
- (4) Hariram Joshi, Nepal ko Prachina Abhilekha, (Ancient Inscriptions of Nepal), Kathmandu: Royal Nepal Academy, 2030 (A.D. 1973) P. 353.

A translation of the inscription is given below:

"On Jesta Shukla 45 Samvat, the Varta, Vibhuvarma, constructed this water-spout by the Grace of Shri Amshuvarma in order to enhance the religious merit of his father."

The inscription had long been lost.

Cecil Bendall in his book: A Journey of Literary and Archaeological Research in Nepal and Northern India During the Winter of 1884-5 (Cambridge University Press, 1886, reprinted in the Bibliotheca Himalayica Series by the Ratna Pustak Bhandar, Kathmandu, 1974) writes (P.4):

"On the 12th November (1884) I made a beginning of practical archaeological work by visiting some of the places in or near the town of Kathmandu in which inscriptions had been found by Pandit Bhagavanlal in 1880.

"The very first and nearest of these seemed to illustrate forcibly how desirable it is that opportunities should be taken to reproduce these documents while they still exist.

"This was the short inscription of Amshuvarman (Indian Antiquary, Vol. IX. (for August, 1880), No.87. which is described as at Sathhara near the Ranipokhry tank. The whole masonry of the place round the spring seems quite recently to have been demolished, and heaps of brick rubbish are lying about in all directions, the whole spot as far as the tank being now included in the parade-ground. I found no trace of the inscription, so that it would seem that the Pandit was only just in time to preserve a record of it."

The inscription was rediscovered on Baisakh 17, 2041 (April 29, 1984) when the road between Ratna Park and Bhotahiti was being dug for the construction of a subway.

A stone spout with flowing water, and a number of ancient idols and other artifacts, were also unearthed.

Kashinath Tamot writes, "The water-spout was extant when Bhagawanlal Indraji visited Kathmandu in A.D. 1880. It was buried when Prime Minister Ranoddip Simha extended the Tundikhel grounds from the Mahankal Temple to the Ranipokhari Tank."

#### References,

1. Kashinath Tamot, "Tundikhela ko Dhara: Kehi Aitihaska Tathya" (The Tundikhel water-spout: Some historical facts), Gorkhapatra, Baisakh 30, 2041 (May 12, 1984).
2. Gobinda Tandon, "Halai Prapta Dhungedhara-Yasko Prachinatar Mahatwa. (The recently-discovered stone water spout; Its ancient origin and importance), Gorkhapatra, Baisakh 30, 2041 (May 12, 1984).
3. Naya Raj Panta, "Shri 3 Maharaja Ranoddipa Simha" (Prime Minister Ranoddip Simha), Purnima, No. 25, P. 43.
4. Naya Raj Panta, "Pandit Gopala Pande ra uneko Ghanzmula Lyaune Riti" (Pandit Gopal Pande and his method of calculating the cube root), Purnima, No.8, P. 60.

#### Guthi Endowments in Sankhu

##### Vajrajogini Shrine

Royal order to Chintamani Banda and Jwalamuni Banda of Sankhu:

"King Jagatjaya Malla had (made a Guthi endowment) and issued a copper-plate inscription for financing religious ceremonies at the Shrine of Sri Vajrajogini on each full-moon day in the name of your great-grandfather, Amitaprabha Banda. During the time of King Jayaprakasha Malla, his brothers, who had separated twenty-five years previously, obtained a royal order (entitling them to a share in the Guthi lands endowed) on the false plea that the endowment had been made (in the name of Amitaprabha Banda) while they were living together. The case was discussed in the presence of Kaji Damodar Pande and it was held that the endowment had been made after they had separated." "The royal order which had been issued (by King Jayaprakasha Malla) on the basis of false evidence was cancelled and a copper-plate inscription was issued confirming the title of your great-grandfather. We hereby reconfirm that copper-plate inscription. Perform the regular and ceremonial religious functions in the traditional manner, wish victory to us, and, with full assurance, appropriate the surplus income from generation to generation."



Saturday, Marga Sudi 5, 1898 (November 1831)

Regmi Research Collection, Vol. 29, PP. 34-35.

Brahmayani Temple

Royal order to Chintamani Gubhaju of Sankhu:

" 100 muris of rice lands at Sisa<sup>u</sup>bote and Badyarungto in Sankhu, along with jhara services, homestead taxes (ghargani, saunefagu), judicial fines and penalties (danda-kunda), escheats (maryo-apatali), fines collected from low-caste people guilty of illicit sexual relations (chak-chakui), and all other taxes (sarbanakam) collected from the inhabitants of that area, had been endowed as guthi from former times for performing regular and ceremonial functions at the temple of Brahmayani in Sankhu. The endowment had been reconfirmed by our grandfather (King Rana Bahadur) and we hereby reconfirm it again. Use the income of the rice-lands and homesteads to perform the traditional regular and ceremonial religious functions, wish victory to us, and, with full assurance, appropriate the surplus income."

Saturday, Marga Sudi 5, 1898 (November 1831)

Regmi Research Collection, Vol.29, PP.35-36.

Petition of Khamba Traders

Hiksum Tsungi, a Khamba trader visiting Thak-Khola for trade, submitted the following petition to Kathmandu.

" We visit thak for trade in salt and sheeps. Previously, the local functionaries used to collect jagat and nirkhi duties from us at the same rates as from other traders."

" These days, however, they collect these duties at arbitrary rates. They charge a duty of 1 mana for each 10 lugal (i.e. leather bags containing salt, foodgrains, and other commodities carried on the backs of sheep and goats) from some traders, and for each 6 lugals from others. But from us they collect 1 mana as duty for each 3 lugals."

" Previously, we used to provide salt for their personal consumption on a mutually acceptable basis. We also used to pay one rupee to the jagat collector for each household while coming from Tibet. While returning home, we used to pay 1 mana of foodgrains for each manload, or for each 3 lugals carried by sheep. These days, however, the collectors forcibly take as much as they like."

" An arrangement had previously been negotiated with Thituwa Bista, Bhajudev, and others according to which we used to make a consolidated payment of Rs 21 in consideration of our four or five months long visit for purposes of trade, instead of payments assessed on the number of sheep or quantity of salt sold by us. These days, however, we have to pay both the abovementioned amount of Rs 21 and payments assessed on the number of sheep or quantity of salt sold by us."

" Previously, we did not pay any jagat duty on wool, but now it is collected from us. If any animal strays from our fold, they confiscate it as unclaimed property. "

" We Khamba traders will no longer be able to visit (Thak-Khola) for trade if the customary arrangements are violated in this manner."

A royal order was issued on Friday, Falgun Sudi 3, 1889 (February 1833) directing tax-collectors in Thak-Khola to collect duties from the Khamba traders at customary rates.

Regmi Research Collection, Vol-27, PP.222-23.

#### Mukhiyabhar Arrangements in Chharka

Revenue from eleven villages in the Chharka area had been assigned as Jagir to Mir Subba Ratna Man Singh Rajbhandari and one other person (name missing) during the early A.D. 1860. These villages were Barbhung (two villages), Dowagaun, Taksyungaun, Namtung-Chhaltang, Karagaun, Kamapolte, Syampo, Tijungaun, Hiunya, and Chharka.

On Sunday, Poush Badi 10, 1921 (December 1864), the headmen (Tola, Mukhiya) of these villages submitted the following petition to Kathmandu:

"Tax-collectors sent to our villages are making collections in excess of the rates prescribed in 1894 Vikrama (A.D. 1837) and oppressing us. As a result, the inhabitants of these villages are emigrating to other areas. In consultation with them, we visited Nepal (i.e. Kathmandu) in 1917 Vikrama (A.D. 1860) and stipulated a consolidated payment of Rs 9,648 a year from the year 1918 Vikrama (A.D.1861), as previously stipulated by assignee (Amali). Our offer was accepted, and we had been making payments accordingly. We used to refund surplus amounts, if any, from the local people, and realize shortfalls, if any, on a proportionate basis.

"However, people who are still living in the area have to pay taxes on behalf of those who have emigrated elsewhere. Their tax liabilities have consequently gone up; hence they too are emigrating to other areas.

"When we asked them why they were emigrating to other areas, they replied: "We cannot stay here under one-year patias issued by the Jagirdar. We will do so only if permanent patias are issued. Because we have to pay taxes on behalf of those who have emigrated to other areas, we are unable to remain here."

The petition added, "If the existing amount of revenue is to be maintained, and depopulation of these villages checked, patias must be issued from Kathmandu. If, therefore, a patia is issued in our names from the center, we shall try to persuade the villagers who have gone elsewhere to come back and reoccupy their holdings and make full payment of the amount of revenue due to the Jagirdar. Otherwise, we cannot pledge to hold the remaining population and make full payments."

The petition was referred by the Sadar Dafdarkhana to the Ijhar Praman Adda and then to the Kaushal Adda.

The Jagirdar (name missing) to whom the eleven villages had been assigned submitted an affidavit to the Sadar Dafdarkhana as follows: "For the Vikrama year 1921 (A.D. 1864) I have already received the Stipulated amount of Rs 9,648. I have no objection if a Patia is issued stipulating that the petitioners will match any offer in excess of that amount for the Vikrama year 1922 (A.D. 1865), but seek no remission in the event a lower offer is received.

A patia was then issued in the names of the Tolas and Mukhiyas of the above-mentioned eleven villages under the Mukhiyabhar system with effect from the Vikrama year 1922 (A.D. 1865). (For an explanation of the Mukhiyabhar system, see Mahesh C. Regmi, Thatched Huts and Stucco Palaces: Peasants and Landlords in 19th Century Nepal, New Delhi: Vikas Publishing House (Private) Ltd, 1978, pp.76-79.

Under the terms of the Mukhiyabhar arrangement, the Tolas and Mukhiyas of the eleven villages made a stipulation as follows:-

1. We will bring back people who have left the area and make these villages populous.
2. We will collect taxes and other payments (Sirto, dastur) according to the royal order issued in our names in the Vikrama year 1894 (A.D. 1837).
3. We will dispense justice and collect fines and penalties (danda-Kunda) according to the regulations (thiti).

4. We will pay the full amount of Rs 9,648 as stipulated for the Vikrama year 1921 (A.D. 1864) to the Jagirdars in the prescribed installments.
5. In the event of a shortfall in collection, we will not seek any remission.
6. In case any person makes a higher offer, we will match that offer, or else relinquish the Mukhiyabhar arrangement. In that event, we will not complain that an outsider has been appointed as Amali over us.
7. We will not oppress the local people on the ground that a patta has been issued in our names. In case we are proved to have done so, we are willing to be punished according to the law.

The government then sanctioned Mukhiyabhar arrangements for these eleven villages subject to the following terms and conditions for a one-year period from Baisakh Bad<sup>1</sup> 1 to Chaitra Sudi 15, 1922 (year ended April 1866).

1. A sum of Rs 9,648 shall be paid for each year. No remission shall be allowed on any account.
2. Mukhiyas shall be allowed to collect and appropriate income from sirto and other taxes, judicial fines and penalties (danda-kunda), fines and penalties collected from persons belonging to low-caste groups who are guilty of adultery (chak-chakui), escheats (maryo-aputali), and other payments which the Amali had appropriated during the year 1921 Vikrama.
3. However, Crown levies (Raja-Anka), treasure trove (Kalyanadhana), Dharmadhikara levies, fines and penalties realized from persons guilty of Panchakhat crimes, and all other unspecified sources (rahata-pahate, udanta-gadanta, bedarta), shall be reserved for the center.
4. Those who have left their villages and gone elsewhere shall be persuaded to come back.
5. Sirto and other taxes shall be collected according to the terms and conditions stipulated in the royal order (Lal Mohar) of the Vikrama year 1894 (A.D. 1837).
6. Justice shall be dispensed in the villages according to the law (Ain). Fines and penalties shall not be collected in excess of the rates prescribed therein nor shall unauthorized payments be collected. In case any complaint is received in this regard, the guilty Mukhiya shall be punished according to the law.

7. In case the sirto and other payments prescribed in the royal order, and income from judicial fines and penalties (asmani), are not sufficient for paying the amount stipulated to the Jagirdars, the deficit shall be realized from the local villagers in proportion to amounts due from them. The surplus, if any, shall be apportioned among them on a proportionate basis.
8. The Jagirdar shall not appoint any other Amali so long as you match higher offers, if any. No remissions shall be allowed on the plea of losses. In case you are not able to match higher offers, if any, the Jagirdar may appoint another Amali, and no complaints from you in this regard shall be heard.

<u>Particulars</u>				In 16- Anna Rs/Annas.
<u>Village</u>	<u>Sirto</u>	<u>Dastur</u>	<u>Increment</u>	<u>Total</u>
Barbhung (Two villages)	902	100	455-6	1457-6
Dowagaun	500	60	254-12½	814-12½
Taksyungaun	500	60	254-12½	814-12½
Namtung- Chhaltang	657	120	353	1130
Karagaun	595	120	325-4½	1040-4½
Komapolte	528	120	295-4½	943-4½
Syampo	635	120	343-8	1098-8
Tijungaun	528	120	295-4½	943-4½
Hiunya	601	120	328-4½	1049-4½
Chharka	215	30	111-7	356-7

Amount to be paid to Jagirdar--- Rs 9,524-12½

To Mir Subba Ratna Man Sing --- Rs 123-3½

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Rs 9,648.

Magh Sudi 15, 1921

(January 1865)

Regmi Research Collection, Vol. 21, pp. 379-86.



Chharka was the Jagir of General Jagat Jung, Prime Minister Jung Bahadur's eldest son, in 1928 Vikrama (A.D. 1871), and of General Ranbir Jung, an illegitimate son of Jung Bahadur, in 1937 Vikrama (A.D. 1880).

Regmi Research Collection,

Vol. 62, pp. 54-66.

#### Gold Mining in Jumla,

On Saturday, Marga Sudi 3, 1903, Dhaula Shahi and Gajendra Shahi were granted a contract (Thek) for the extraction of gold from the Karnali and other rivers in the Khatyad division (dara) of Jumla. The gold was actually extracted by the puns of Dumna village. Under the contract, Dhaula Shahi and Gajendra Shahi were placed under the obligation of paying Rs 15 through the local Jimmawal for each sola of gold actually extracted.

According to another royal order issued on the same date, the puns of Dumna village were placed under the obligation of extracting gold from the Karnali and other rivers. In consideration of that obligation they were exempted from compulsory and unpaid labor services (Jhara, beth, begar) for other purposes. They were also required to work under the orders of Dhaula Shahi.

Regmi Research Collection,

Vol. 1, pp. 798-99.

vol. 62 pp. 603-4.

#### The Jalkar Tax

In the hill regions of Nepal, the Jalkar Tax (Sanskrit Jala, water, and Kara, tax), appears to have been collected on fish and other aquatic produce from people belonging to the Majhi Community.

On Poush Badi 7, 1842 Vikrama (December 1785), King Ran Bahadur Shah issued the following order in the name of Jasakarna Khatri Bhattarai: "Our grandfather (i.e. King Prithvi Narayan Shah) has placed the Jalkar tax all over the Kingdom under your jurisdiction. We grant you that right in the newly-conquered territories of Tanahu, Lamjung, Kaski, Dhor, Nuwakot, Paiyun, and Garhun as well. Collect the tax from Majhi in the same way as in the old territories of the Kingdom. Bhardars deputed to the western region are hereby ordered to let you collect the Jalkar tax accordingly."



Regmi Research Collection,

Vol. 25, P. 12-13.

On Friday, Aswin Badi 6, 1866 (September 1809), Jogya Majhi, who had been appointed to provide ferry services at Rakhanghat on the Karnali river, was ordered to pay the Jalkar tax, along with other taxes and levies, directly to the central treasury (Toshakhana) in Kathmandu.

Source: Yogi Naraharinath, Itihasha Prakasha (light on history), Kathmandu, Itihasa-Prakashaka-Sangha, 2013 Vikrama (A.D. 1956), Vol. 2, bk. 2, P. 22.

On Thursday, Falgun Badi 30, 1847 (February 1791), the Mijhars (i.e. headmen) of Majhi villages in the Chaurikhola-Arun region were ordered to pay eight annas each as Jalkar tax. Ordinary Majhis were exempt.

Regmi Research Collection, Vol.5, P. 37.

On Falgun Badi 13, 1863 (February 1807), Majhis at ferry-points (ghat) in the area between Sindhureghat and Sisaghat were ordered to pay the Jalkar tax in the form of black gram (mas). Supplies were to be delivered for feeding bulls at the Basantapur Palace in Kathmandu through Dittha Bhimases Baniya.

Regmi Research Collection, Vol.5, P. 134.

References to the Jalkar tax paid by Majhis are also available in the following documents:

- (1) "Royal Order to the Majhis of Tarkughat, Satighat, etc.", Falgun Sudi 15, 1842 (February 1786), Regmi Research Collection, Vol.25, P. 50.
- (2) "Royal Order to the Majhis of Dukhantar, Khinchyat, and Labdughat," Baisakh Badi 8, 1843 (April 1786), Regmi Research Collection, Vol. 257 P. 67.

The Jalkar tax was collected in several parts of India as well during the pre-Muslim period. In Kanauj, for example, one of the sources of revenue was:

"Jalakara, or tax on water. This must have been a fruitful source of income as the prosperity of the village largely depended on irrigation."

Source: Rama Shankar Tripathi, History of Kanauj To The Moslem Conquest. Delhi: Motilal Banarsidas, 1959. P.349.

Tripathi thus equates the Jalkar tax with the modern water cess, rather than with the tax on aquatic produce as in the hill regions of Nepal.

According to another Indian Source:

" Jalakara has been mentioned in a few inscriptions of the Gahadavalas beginning with the Gagaha inscription of Govindacandra dated A.D. 1142. On the basis of the expression Samatsyakara included in the list of rights accompanying the grant R. Niyogi says that fish was a source of revenue in this period and hence takes Jalakara as a tax on the produce of water, fish for example. But we would prefer the more obvious interpretation of the term as irrigation cess. We may point out that Sajala also appears in the list of rights transferred to the donee and hence water was also a source of revenue."

Source: Lallanji Gopal, The Economic Life of Northern India, C.A.D. 700-1200, Varanasi: Motilal Banarsidass, 1965, P.P. 54-55.

#### Masons and Carpenters

On Thursday, Bhadra Sudi 12, 1838 (August 1781), Chandramani Baral Jaisi was granted a three-year ijara for the collection of Pota tax on land cultivated by carpenters (Sikarmi), Stone-workers (Luha-Karmi), masons (dakarmi), and other artisans of Patan town, as well as miscellaneous other levies and payments under the jurisdiction of the Chhebhadel (public works office) against a yearly payment of Rs 2,701.

Regmi Research Collection, Vol.5, P.P.616-17.

Lumbermen (bosi) and carpenters (Sikarmi) in areas between Dahachok and Bagmati were permitted to cultivate their lands on Adhiya tenure and protected from eviction. They were ordered to cultivate such lands personally, and pay adhiya rents to their jagirdar landlords, as well as ghiukhane tax at the rate of eight annas for each five ropanis.

Kartik Sudi 1, 1848 (October 1791)

Regmi Research Collection, Vol.5, P.74.

On Chaitra Sudi 15, 1850 (March 1794), Garbhu (Khawas) was appointed Ijaradar for the collection of revenues in Patan. Regulations promulgated in his name permitted him to pay wages to artisans (Karmi), as well as other perquisites, through the Chhebhadel (Public Works Office).

Regmi Research Collection, Vol.40, P. 429.

The lumbermen (bosi), carpenters (sikarmi), stone-workers (Luhakarmi), masons (dakarmi), and oilmen (salmi) of Chobhar, Kirtipur, and Sanagaun complained that Jagirdars belonging to the army evicted them from lands which they had been cultivating on adhiya tenure, with the result that they were unable to provide services on a regular basis. A royal order was, therefore, issued in the names of the subedars, Jamadar, and other ranks of all the 22 companies prohibiting such evictions unless the cultivators defaulted in the payment of adhiya rents, Chardam-theki, and other customary dues, or willfully damaged the land.

Kartik Badi 14, 1854  
(October 1797)

Regmi Research Collection, Vol. 25, P.637.

Royal order to the masons (dakarmi), stoneworkers (Luhakarmi) and carpenters(sikarmi) of Patan: " From former times, you used to be paid 12 dams and 3 manas of food every day while working for us. After our father (i.e. ex-King Ran Bahadur Shah) left for Banaras in 1856 Vikrama (A.D. 1799), local functionaries (rakami, pradhan) misappropriated wages due to you. We hereby authorize you to realize these payments from them.

Sunday, Bhadra Sudi 8, 1862 (August 1805).

Regmi Research Collection, Vol. 19, P.242.

Royal order to the team-leaders (naike) of lumbermen (bosi), stoneworkers (luha-karmi), and masons (dakarmi) of Kirtipur, Panga, Nagaun, Chobhar, and Satgaun villages: " We have received reports that artisans employed under the rakam system do not come for our work because they have joined the army to work as porters (Pipa, Khalasi). You shall be punished if you do not send one person form each household for our work. Military officers, on their part, shall not recruit artisans in the army."

Monday, Aswin Badi 1, 1862 (September 1805)

Regmi Research Collection, Vol.19, P. 247.

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Regmi Research (Private) Ltd.

ISSN: 0034-348X

Regmi Research Series

Year 16, No. 7

Kathmandu: July 1984

Edited By

Mahesh C. Regmi

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Cardamom farms in the Western Hill Region

1. Gorkha

Order from Kaji Birkesar Pande to the Mohinaike of Narijung (Gorkha): "The cardamom farm (bari) of that place had been assigned as jagir to Sri Ranser Company on payment (of rents) amounting to 22½ dharnis of cardamom every year. You are hereby ordered to make payments accordingly.

Friday, Marga Badi 8, 1868 (November 1811)  
Regmi Research Collection, Vol. 28, P. 59.

Kaski

- (1) On Bhadra Badi 14, 1869 (August 1812), Kaji Randhwaj Thapa and Kaji Birkesar Pande sent an order to the tenants of Salyan, Paudur, and other villages (in Kaski) that cardamom farming in those villages had been placed under the jurisdiction of Birbal Gharti. The order added, "You have held up the supply of cardamom on the ground that the Company (to whom the villages were assigned as Jagir) has not granted permission. The Company has been given no rights on cardamom lands. You are therefore ordered to supply the entire quantity of cardamom produced in your villages through Birbal Gharti, not to the Company.

Regmi Research Collection, Vol. 28, P. 119.

- (2) Kaji Birkesar Pande's order to Kavi Gurung and Khadka Singh Gurung: "We hereby appoint you as caretaker (Chitaidar) of the cardamom farm at Paudur in Kaski, replacing Naran Rana. Supply 63 dharnis of cardamom due for the Vikrama year 1869 (A.D. 1812) to the Tosakhana (in Kathmandu). Appropriate rents from one khet of rice-lands assigned to the Chitaidar of that cardamom farm."

Shrawan Sudi 11, 1869 (July 1812),  
Regmi Research Collection, Vol. 28, P. 114.

- (3) Royal order to Gajabal Gurung: "We hereby grant you a thek (contract) for the cardamom farms of Gorje, Paudur, Lumle, Handikhola, Lekhpani, Kaphaldanda and Syaklung in Kaski, as well as 110 muris of rice-lands assigned to the thekdar of these farms from former times, and the village of Kahule, yielding a revenue of Rs. 4½ from the serma tax, and 5 annas from the saunefagu tax. The payment due under this thek had been increased from 81 dharnis to 115 dharnis during the revenue settlement of the Vikrama year 1881 (A.D. 1824). Supply this quantity of cardamom to the Tosakhana in Kathmandu in the month of Falgun (ending March 13) every year. In case any tenant leaves his cardamom field uncultivated, evict him and appoint another tenant.

Saturday, Jestha Badi 30, 1894 (May 1837)  
Regmi Research Collection, Vol. 34, pp. 322-23.

A Lepcha Settlement in Eastern Nepal

In the Vikrama year 1883 (A.D. 1826), Kaji Yuklathuye had been granted permission to settle in the Karphok and Phakphok areas of Chainpur district in the far-eastern hill region along with his followers. The Lepcha immigrants set up a total of 101 households in those areas.

A thek settlement was finalized with these Lepcha households through Subba Jayanta Khatri. Under that settlement, they were placed under the obligation of paying Rs. 324 every year as thek to the Sri Nath Company.

Particulars of the settlement were as follows:-

- (1) The Lepcha households may occupy and reclaim waste Raikar lands through their own labor and resources and use such lands as bari, suwari (i.e. unirrigated lands used as garden, production of maize and other dry crops, etc.) and kharka (pasture lands).
- (2) Ten households belonging to Kaji Yuklathuye's group, six belonging to his brother's group, and six belonging to his nephew's group, were exempted from all taxes and payments.
- (3) The other eighty-one households were placed under the obligation of paying four rupees each every year.
- (4) In consideration of that payment, the obligation to pay saunefagu and megjin levies, judicial fines and penalties (danda-kunda), escheats (maryo-apatuli), penalties for adultery (chak-chakui), land taxes (wajbi), and fees for the right to administer justice (asmani), as well as customary payments due to the assignee (amilan), was waived.
- (5) The government reserved the right to collect and appropriate the proceeds of Crown levies (Raja-Anka), treasure-trove (kalyana-dhana), and fees due to the Dharmadhikar.
- (6) The Lepcha settlers were required to transmit the following to the government: ivory, rhinoceros horn, baby rhinoceros and horns and young ones of bison (gaurigai).

Subsequently, Kaji Yuklathuye submitted a petition to Kathmandu complaining that the payment was too high.

A royal order was then issued on Monday, Jestha badi 30, 1886 (May 1829), according to which:-

- (1) The number of tax-exempt households was increased from 20 to 24, including four households of hunters (sikari).



- (2) The payment due from the remaining 77 households as well as from the households of new immigrants was reduced from four rupees to one rupee each.

Revenue from the tax was to be transmitted to the Sri Nuch Company as usual.

Regmi Research Collection, vol. 27, pp. 49-50.

### Facilities for Recruits

Regulations issued to the Jagir Phant (Division) of the Pahad Bandobast (Hill Regions Administration) on Friday, Poush 20, 1975 (January 3, 1919).

1. In case the family of any person who was killed in the war is suffering from poverty, the local village headman (Talukdar, Pagari, Jimmawal, Gaurung, Mijhar) shall render all possible assistance and report the matter to the district authorities (gaunda, goswara). The latter shall investigate such reports, submit its own reports to the center, and take action according to orders.
2. All sentences of punishment or charges for desertion from the army, irrespective of whether recruitment has been made at the center or in the districts, are hereby commuted. All those who may have been imprisoned for such offence shall be released.
3. All sentences of punishment or charges relating to bribery or other offences in recruitment shall be similarly commuted.
4. Any person who has been appointed in the army shall be allowed to resign before completing 36 months of service. However, this facility shall be granted on a one-time basis only. In the future, no one shall be allowed to resign before completing his term.
5. Arrears of advances obtained by persons leaving (for India) for recruitment in the British army shall be remitted.
6. Inasmuch as punishment has been commuted in the manner mentioned above, those who have fled to Tibet and India shall be ordered to come back home.
7. Punishment inflicted on deserters from the army at the center or in the districts, or from the (British) army in India, has been commuted. Those who have been imprisoned for such offenses shall be released.

Regmi Research Collection, Vol. 28.

On Manachamal LandsManachamal Grants(1) To Anupa Simha Adhikari

From Kaji Birkesar Pande to Anupa Simha Adhikari on Tuesday, Marga Badi 12, 1868 (A.D. November 1811).

" A royal order had been issued in the Vikrama year 1862 (A.D. 1862) granting as Manachamal two khets (i.e. 200 muris) out of four khets of rice-lands at Banepa which Chhatra Singh Newar was using as Guthi. We hereby reconfirm the grant according to that royal order. Use the lands as your Manachamal.

Regmi Research Collection, Vol. 28, P. 6.

(2) To Subba Katak Bahadur Thapa

On Marga Badi 30, 1868, Kaji Birkesar Pande issued an order in the name of Subba Katak Bahadur Thapa reconfirming his Manachamal lands which had been granted to him through a royal order, for the Vikrama year 1868 (A.D. 1811) also. The area and location of the lands are not clear.

Regmi Research Collection, Vol. 28, P. 6.

(3) To Ditttha Bishram Khatri

On Thursday, Poush Badi 5, 1868 (December 1811), Kaji Birkesar Pande issued an order in the name of Ditttha Bishrama Khatri reconfirming the grant of 1 khet of land in Bhadgaun as part of his Manachamal. The lands were previously held by Renajit Malla (?)'s daughter-in-law on jiuni tenure.

Regmi Research Collection, Vol. 28, P. 18.

(4) To Raja Bhupendra Malla

On Poush Badi ... 1868 (December 1811), Kaji Birkesar Pande informed Raja Bhupendra Malla of Dhurkot that 4 khets of rice lands at Rupakot and other areas, which had been granted to him as Manachamal by royal order, had been reconfirmed. The lands were cultivated by Iohasur Gharti.

Regmi Research Collection, Vol. 28, P. 18.

(5) To Subedars Ramachandra and Foud Singh Bogati

On Friday, Poush Badi 13, 1868, Kaji Birkesar Pande ordered Mukhiya Jogeshwar Padhya and the Mohinaike of Bhirkot to let Subedar Ramachandra Bogati and Subedar Foud Singh Bogati take possession of their Manachamal lands comprising 4 khets, which had been granted to them through a royal order.

Regmi Research Collection, Vol. 28, P. 25.

(6) To subedar Simha Ghale

A royal order had been issued in the Vikrama year 1864 (A.D. 1807) granting 220 muris of rice-lands in Wami (Gulmi) to subedar Simha Ghale. Of this, 140 muris was later granted to Subba Gangamani. On Poush Sudi 10, 1868, Kaji Birkesar Pande issued an order reconfirming subedar Simha Ghale's Manachamal rights on the remaining area of 80 muris.

Regmi Research Collection, Vol. 28, P. 34.

(7) To subedar Baka Khatri

On Magh Badi 8, 1868 (January 1812) Kaji Birkesar Pande made a grant of 45 muris of land to subedar Baka Khatri on Manachamal tenure. The location is not clear.

Regmi Research Collection, Vol. 28, P. 38.

(8) To Gopal Puri

A royal order issued on Monday, Baisakh Sudi 9, 1873 (April 1816) granted 1 khet of rice-lands at Lamachaur in Kaski as Manachamal to Gopal Puri.

Regmi Research Collection, Vol. 28, P. 129.

Other Manachamal Land Grants

Grants made through royal order and reconfirmed by Kaji Birkesar Pande :-

- (1) Ashadh Sudi 15, 1889: 169 muris in Deopatan, Handigaun, Thankot, Singuthi, and Bisankhu to Hiya Patwa.

(Regmi Research Collection, Vol. 28, P. 106)

- (2) Shrawan Badi 30, 1869: 200 muris in Mahankal, Dharmathali, Gokarna, Patan, and Budhanilkantha to Shivananda Vaidya of Deopatan (Ibid, pp. 110-11)

Tax on Manachamal Lands

An order issued by Kaji Birkesar Pande in the name of Nandu Thapa required him to pay Rs. 14 as rent (bali) for the Vikrama year 1869 (A.D. 1812) on the 55 muris of Manachamal lands held by him in Jatanpur-Byasi.

Regmi Research Collection, Vol. 28, P. 116.

Rents and Tenurial Rights

Kaji Birkesar Pande's order to Jayamangal Upadhya on Sunday, Baisakh Badi 10, 1869 (April 1812): "Captain Indrabir Basnyat had received the chardam-theke fee (for the cultivation of) his 10-muri Manachamal holding in the Archale-khola area. Later, he appointed the Delhi physician (Dilliwal Vaidya) to

cultivate the land. You are now reported to have taken possession of the land. The power (to appoint tenants) belongs to the person who receives rents. Vacate the land if you are satisfied (with this arrangement), or else come here to plead your case."

Regmi Research Collection, Vol. 28, p. 90.

#### Sequestration of Rents on Manachamal Lands

On Kartik Sudi 13, 1868 (October 1811), Kaji Birkesar Pande issued an order to the Dwares and pradhans of Sanga, Panauti, and Dhulikhel, and the Mohinaikes of Nala, Banepa, Chaukot, and Khadpu, to sequester rents on Manachamal lands in the areas under their jurisdiction and not release such rents until fresh orders were issued.

Regmi Research Collection, Vol. 28, p. 52.

On Marga Sudi 1, 1868, Kaji Birkesar Pande issued an order to the Mohinaikes of Khadpu and Sanga to release rents on the sequestered Manachamal lands of Chautariya Prana Shah.

Regmi Research Collection, Vol. 28, p. 7.

On the same day, a similar order was sent to the Mohinaike of Gokarna for releasing rents on the sequestered Manachamal lands of Sardar Birabhadra Kanwar.

Regmi Research Collection, Vol. 28, p. 9.

On Tuesday, Baisakh Badi 5, 1870 (April 1813), an order was issued by Kaji Randhwaj Thapa and Kaji Balanarsingh Kunwar to the tenants of Kashiramtar informing that rents (bali) on the Manachamal lands of Sardar Balasundar Thapa, which had been sequestered previously, had been released.

Regmi Research Collection, Vol. 28, p. 244.

#### Conversion of Manachamal Lands into Sera

On Magh Sudi 12, 1868, Kaji Birkesar Pande sent the following order in the name of Mohinaikes in Kathmandu Valley:

"His Majesty has ordered that all Manachamal lands be placed under the jurisdiction of Kapardar Bhotu Pande for conversion into Sera (i.e. lands allotted for the supply of agricultural produce to the royal household). We are therefore forwarding herewith a register (dhadda) of such lands. Check all Manachamal lands, irrespective of whether or not these have been entered in the register, and transmit the particulars to the Kapardar. Any person who suppresses information relating to Manachamal lands shall be liable to punishment."

Regmi Research Collection, Vol. 28, p. 48.

Scrutiny of Manachamal Land Grants

On Monday, Chaitra 15, 1972 (March 28, 1917), Prime Minister Chandra Shekhare issued a public notification directing holders of tax-free and non-heritable lands of the following categories to submit reports to the local Talukdar or to the appropriate district headquarters offices during the months of Srāwan, Bādra, and Ashwin every year in the event of the death of the beneficiary: Petiya, Chhap, Manachamal, Bekh-Birta, Gulphul, Mayau, Gharbari, and Jiuni. The order also prescribed that the lands should be resumed by the government, if appropriate.

Regmi Research Collection, Vol. 28, pp. 443-44.

Subba Hiralal Jha

On Bhādra Badi 12, 1890 (August 1833), Hiralal Jha was appointed subba of Bara and Rautahat districts effective Baisakh Badi 1, 1890. He was ordered to collect revenues from those districts according to the regulations and submit accounts at the end of each year. Hiralal Jha also stipulated that he would realize arrears of payment due for the Vikrama year 1888 (A.D. 1831) due to the late subba Gauri Singh from local thikedars (revenue-farmers) from Bara, Rautahat, and Sarlahi under the panchashala-thek system.

The following expenses ( in Patna rupees) were sanctioned:

Annual salaries

Subba Hiralal Jha	Rs 2,500
Dewan	Rs 300
Two Fouzdars	Rs 350
Two Peshkars	Rs 160
Minshi	Rs 120
Tahabildar	Rs 50
Kotwal	Rs 54
	<hr/>
	Rs 3,534

Other Expenses

1. Dwar-Puja expenses: (Inclusive of Rs 24 for Dewan, Rs 20 for Peshkar, and Rs 10 for Minshi)	Rs 54
2. Paper, registers	Rs 50
3. Mattresses	Rs 50

4. Expenses during Dashain festival	Rs 100
5. Miscellaneous	Rs 400
	<hr/>
	Rs 654
Grand Total	Rs 4,188

Regmi Research Collection, Vol. 26, PP. 342-43.

Subba Hiralal Jha held an ijara for the collection of revenue in Chitwan district also.

Thursday, Kartik Badi 10, 1890.  
(October 1833),

Regmi Research Collection, Vol. 26, P. 375

### Irrigation in Kaski District

#### 1. The Pardi Canal

Kartik Sudi 13, 1882

Royal order to Dilliram Baral and Shiva Baral:

"An order had been previously issued under the signature of Colonal Ujir Simha Basnyat appointing you as cerataker of the protected Poudi forest and cut timber from that forest only to meet the requirements of the Pardi irrigation canal. We hereby endorse that order. In case any other person cuts timber from that forest unlawfully, he shall be punished with a fine of five rupees for each tree."

Wednesday, Kartik Sudi 13, 1882 (October 1825)

Regmi Research Collection, Vol. 34, PP. 25-26.

Marga Sudi 11, 1882

On Wednesday, Marga Sudi 11, 1882 (November 1825), Dittha Ganja Simha Karki and Dittha Ranaman Simha Karki were ordered to disburse Rs 400 from the income of the four Adalats for the construction of the Pardi Canal in Kaski district.

Regmi Research Collection, Vol. 34, PP. 140-41.

Ashadh Badi 8, 1889

Several local persons had been allotted rice-fields in the command area of the three irrigation canals in Pardi (Kaski district) in the Vikrama year 1882 (A.D. 1825). In the



Vikrama year 1889 (A.D. 1832), when the fields were about to be sown, Ratan Padhya and Rupa Singh Sarki tried to occupy the rice-fields forcibly on the ground that these had been allotted to them under Hulak tenure. All the previous allottees thereupon relinquished their lands. Consequently, not only the lands claimed by Ratan Padhya and Rupa Singh Sarki but other lands also remained uncultivated.

Ranabir Khatri, Dittha of the Pardi irrigation canals, reported the matter to Kathmandu.

A royal order was then issued in the name of Ranabir Khatri instructing him to explain to Ratan Padhya and Rupa Singh Sarki that they could not be allowed possession of the lands claimed by them in the midst of the agricultural season, and that they should wait until the next year.

Thursday, Ashadh Badi 8, 1889 (June 1832)

Regmi Research Collection, Vol. 27, PP. 138-39.

A similar order had been issued on Sunday, Chaitra Sudi 8, 1888 (March 1832) to tenants cultivating rice-fields in the command area of the three irrigation canals in Pardi. Ranabir Khatri was Dittha of the canals at that time.

Regmi Research Collection, Vol 27, P. 129.

Poush Badi 30, 1890

Royal order to tenants cultivating rice-fields in the command area of the Pardi irrigation canal.

" In the event of any damage to the Pardi irrigation canal, you are hereby ordered to repair and renovate it as directed by Dittha Kalu. Any one who does not provide labor for such repair and renovation may be punished with a fine and eviction from his rice-land holding.

Poush Badi 30, 1890 (December 1833).

Regmi Research Collection, Vol. 27, P. 245.

Poush Badi 30, 1890

Royal order to the Thari, Anali, Mukhiya, and other inhabitants of Sarangkot, Poudi, and Kritti (in Kaski district). The Saunepani forest has been preserved from former times for protecting the dam of the Pardi irrigation canal. We hereby order that no one shall cut timber in that forest. Since the forest has been assigned to the Pardi dam for its protection, only the caretakar (Chitaidar) of that time shall be allowed to cut timber for meeting the requirements of the dam. In case any person violates this order, the timber that he has unlawfully cut shall be confiscated, and he shall

be punished with a fine of five rupees for each piece of timber. The guard of the forest shall be granted five muris of paddy every year from the emoluments (khangī) of the Ditha of the Pardi irrigation canal.

Thursday, Poush Badi 30, 1890 (December 1833)

Regmi Research Collection, Vol. 27, PP. 245-46.

(The order had been issued earlier on Sunday, Chaitra Sudi 8, 1888 (March 1832).

Regmi Research Collection, Vol. 27, PP. 130-31.)

Poush Badi 10, 1893

On Poush Badi 10, 1893 (December 1836) the following persons were granted authority to repair and maintain the Pardi irrigation canal in Kaski district and conserve forests in the area: Prem Narayan Baral, Jitari Mahat, Bhaktiram Pahari, Sure Thapa, Ramanand Adhikari, Bahadur Khatri, Balibir Gurung, Sri Krishna Adhikari, Shyam Lal Padhya, Purna Goudyal, Haridatta Padhya, Dambar Baniya, and Dhanabir Bhandari. Each of them was assigned jagir lands amounting to five khets. A royal order issued in this connection also prescribed:-

1. Maintain the irrigation canal and keep it clean.
2. Make arrangements for reclaiming waste lands wherever possible in that area.
3. The person who reclaims waste lands may appropriate the entire produce for himself during the first three years. During the fourth year, the newly-reclaimed lands shall be registered at the Sadar Dafdar khana (in Kathmandu).
4. Picks, spades, axes, and other tools required for the maintenance of the canal shall be supplied by Dambar Baniya and Dhanabir Bhandari.
5. Repair the canal every year and make water available for irrigation. You shall be held personally liable if rice-fields remain uncultivated for lack of water.

Monday, Poush Badi 10, 1893  
(December 1836)

Regmi Research Collection, Vol 27, PP. 413-15.

Marga Sudi 3, 1903

On Saturday, Marga Sudi 3, 1903 (November 1846), Maniram Koirala was appointed Dittha of the following three canals and granted jagir lands amounting to 505 muris. He replaced Bhanarsing.

1. Pardi Canal in Sarangkot, Kaski.
2. Nuwakot Canal.
3. Palpa Canal.

The following instructions were issued in Maniram Koirala's name:-

1. Take over charge of picks, spades, axes, and other tools after checking whether previous Dittas had misappropriated any of them.
2. Construct, repair, and renovate the dams and irrigation canals through the labor of tenant cultivating lands in the command area, as well as (of inhabitants of areas) assigned for work in these canals. Evict any tenants who does not work according to your orders and reallocate his lands to another person who is willing to do so.
3. Let not rice-fields remain uncultivated for lack of water.
4. Check whether any tenant has suppressed information about taxable rice-fields and Pakho lands since the Vikrama year 1894 (A.D. 1837) and register such lands, if any, at the Sadar Dafdarkhana.
5. You shall be held liable if no water is supplied through the canals and rice-fields remain uncultivated, and if jagirdars complain that they are therefore not getting rents. You shall be dismissed if you cannot repair and maintain the canals and supply water.

Saturday, Marga Sudi 3, 1903 (November 1846)

Regmi Research Collection, Vol. 26, PP. 166-67.

## 2. The Lamachaur Canal

Poush sudi 14, 1890

Royal order to tenants cultivating rice-fields with water from the Lamachaur irrigation canal in Kaski district. " In the event of any damage to the lamachaur irrigation canal, you are hereby ordered to repair and renovate it as directed by the Dittha Bahubal Khatri. Any one who does not provide labor for such repair and renovation may be punished with a fine and eviction from his rice-land holding.

Poush sudi 14, 1890 (December 1833)

Regmi Research Collection, Vol. 27, p. 295.

### Notes:

- (1) The same order was issued on Magh Badi 14, 1892 (January 1836), when the Lamachaur irrigation canal was under the jurisdiction of Dittas Jagadeo Bhandari and Bag Singh Bhandari.

Regmi Research Collection, Vol. 27, p. 360.

Marga sudi 3, 1903

On Saturday, Marga sudi 3, 1903 (November 1846), Manabir Khatri was appointed Dittha of the Lamachaur Canal in Kaski district and granted 260 muris of rice-fields as jagir. The terms and conditions of his appointment were the same as those for the Dittas of other canals in Kaski.

Regmi Research Collection, Vol. 26, pp. 168-69.

## 3. The Vijayapur Canal

Kartik sudi 13, 1882

Mukti Ram Baral was appointed Dittha of the Vijayapur Canal in Kaski district on Wednesday, Kartik sudi 13, 1882 (October 1825) with jagir lands amounting to 300 muris, succeeding Jagbir Gharti.

Regmi Research Collection, Vol. 34, pp. 26-28.

Poush sudi, 1890

Royal order to the Jagirdar (Amali), Dware, Thari, and common people (raiyyat) of Arghaun in Kaski district:-

"The local tenants (mohi) have come here with the complaint that the Vijayapur irrigation canal (in Kaski district) has been damaged by floods, and that they are not capable of repairing it through their own labor. We therefore hereby order the inhabitants of Arghaun, which consists of 2,000 households, to provide labor

for the repair and renovation of the Vijayapur irrigation canal as directed by the Dittha Jagadair Shahi, and grant them exemption from the obligation to provide compulsory and unpaid labor (jhora) services elsewhere. Any person who does not provide labor services accordingly for the repair and renovation of the Vijayapur irrigation canal shall be punished with a heavy fine."

Poush Sudi, 1890 (December 1833)

Regmi Research Collection, Vol. 27, P. 295.

Poush Sudi 4, 1902

On Thursday, Poush Sudi 4, 1902 (December 1846), Rup Narayan was appointed Dittha of the Vijayapur Canal at Arghau in Kaski district, succeeding Mahabir Thapa. He was granted 380 muris of rice-lands as jagir. The royal order of appointment contained the following instructions:

1. Receive picks, spades, axes and other tools from the outgoing Dittha.
2. Repair and maintain the dam and the irrigation canal through the labor of tenants cultivating lands in the command area. Let not rice-fields remain uncultivated for lack of water.
3. Reclaim waste lands where possible in the command area and register such lands at the Sadar Dafdarkhana (in Kathmandu).
4. You shall be held personally liable if no water is supplied through the canal and rice-fields consequently remain uncultivated, and if jagirdars complain that they are not getting rents. You shall also be dismissed if you cannot repair and maintain the canal and supply water for irrigation.

Thursday, Poush Sudi 4, 1902 (December 1846).

Regmi Research Collection, Vol. 26, P. 49.

#### 4. The Hyangja-Besi Canal

Poush Badi 30, 1890

Royal order to tenants cultivating rice-fields in the command area of the Hyangja irrigation canal:-

"In the event of any damage to the Hyangja irrigation canal, you are hereby ordered to repair and renovate it as directed by Dittha Gajadal Karki. Any one who does not provide labor for such repair and renovation may be punished with a fine and eviction from his rice-land holding."

Thursday, Poush Badi 30, 1890 (December 1833)

Regmi Research Collection, Vol. 27, P. 243.

Poush Badi 10, 1893

Hari Sharma Baral submitted a petition to Kathmandu stipulating that he would renovate the irrigation canal in Hyangja-Besi, Kaski district, if the canal was placed under his authority, and if he was granted the jagir assigned to the previous Dittha. He also stipulated that he would not let the jagir lands of military employees in that area remain uncultivated. His petition was granted, and 245 muris of rice-lands in Nuwakot, Bhirkot, Lamjung and Kaski were assigned to him as jagir. A royal order issued in his name on Monday, Poush Badi 10, 1893 (December 1836) contained the following instructions:-

1. Repair and maintain the dam and the irrigation canal through the labor of the local tenants and supply water for irrigation. Let not rice-fields remain uncultivated for lack of water.
2. Reclaim waste lands wherever possible in the command area of the canal and register the newly reclaimed lands at the Sadar Dafdarkhana (in Kathmandu).
3. You shall be held personally liable if rice-fields remain uncultivated for lack of water and jagirdars come here with the complaint that they are not getting any rents from their jagir lands. You shall be dismissed if you cannot renovate the canal and supply water for irrigation.

Poush Badi 10, 1893 (December 1836)

Regmi Research Collection, Vol. 27, pp. 421-24.

Marga Sudi 3, 1903

On Saturday, Marga Sudi 3, 1903 (November 1846), Bahadur Khatri and Karna Singh Khatri were appointed Ditthas of the Hyangja-Besi irrigation canal in Kaski district, replacing Rup Narayan, and granted approximately 300 muris of rice-lands as jagir. The following instructions were issued in their name:-

1. Repair and maintain the canal and have rice-fields cultivated. Do not let rice-fields remain uncultivated.
2. Arrange for the reclamation of waste lands where possible (in the command area of the Hyangja-Besi canal). The person who reclaims lands in this manner shall be allowed to appropriate both the landlord's share (talsingpoti) and the tenant's share for the first three years. From the fourth year, the landlord's share shall be deposited at the Sadar Dafdarkhana.



3. Distribute water in the customary manner and have rice-fields cultivated. The Dittha shall punish any person who acts in contravention of the customary arrangement.

Saturday, Marga Sudi 3, 1903 (November 1846),

Regmi Research Collection, Vol. 26; pp. 163-65.

### 5. General

#### Kartik Sudi 13, 1882

On Wednesday, Kartik Sudi 13, 1882 (October 1825), Dilliram Baral was appointed Dittha of the Pardi and Hyangja-Besi canals in Kaski district, replacing Jagbir Gharti, with 505 muris of rice-fields as jagir.

Regmi Research Collection, Vol. 34, pp. 125-26.

#### Marga Badi 7, 1894

Kalu Harsha Man Singh submitted a petition to Kathmandu stipulating that he would repair and renovate the Hyangja-Besi, Pardi, and Lamachaur canals in Kaski district if these were placed under his authority, and if the lands assigned as jagir to the previous Dittha of these canals were reassigned to him. He also stipulated that he would make arrangements to have jagir lands in the command areas of those canals cultivated without any interruption. His petition was granted.

Sunday, Marga Badi 7, 1894 (November 1837)

Regmi Research Collection, Vol. 27, pp. 428-29.

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### Jumla Affairs, March-June 1844

#### Jhara Exemption for Shahi Thakuris

Bichhi Shahi submitted the following petition to Kathmandu: "From former times, we have been providing jhara labor services for maintaining the main route leading to Dullu through Bharta-Bhanjyang, as well as for constructing sanghus in Bharta village. These days, (local authorities) are insisting that we provide such labor services for other purposes also in the same way as the inhabitants of the other five daras of Jumla. They are thus demanding jhara and porterage services even from Thakuris of the Shahi caste like us."

The following royal order was then issued in the name of the inhabitants of Bharta village in the Barhabis division (dara) of Jumla: "In the future, no jhara or porterage services shall be exacted from the following Shahi-Thakuri households located in the following places along the main route:

<u>Place</u>	<u>No. of Shahi-Thakuri Households</u>
Badasain ...	11
Majhmela ...	5
Baluwachaur ...	<u>6</u>
	22

"The other inhabitants of Bharta village shall be employed for maintaining the main route and constructing sanghus as usual, but shall not be required to provide jhara labor elsewhere except for military purposes, or to carry loads other than military supplies, sick soldiers, and coins despatched to the palace.

Jestha Badi 10 (Sunday), 1901 (May 1844)

Regmi Research Collection, Vol. 34, pp. 631-32.

Jhara Services in Bharta Village

The mukhiyas and other inhabitants of Bharta village in the Barhabis division (dara) of Jumla submitted the following petition to Kathmandu:-

"We have been placed under the obligations of providing portorage services for coins despatched to the palace and sick persons and clearing snow and forests in order to keep the routes open for government officials (bhardar) and military personnel. In addition, we have to carry them along snow-covered tracks through the high hills of Bharta up to Dullu as well as military supplies up to Chhinasim. However, we get nothing for these services. Moreover, much money is needed for religious ceremonies at the temple of Sri Kalika Bhawani in Bharta village."

A royal order was then issued reducing the amount of revenue assessed on Bharta village by Rs. 25.

Sunday, Jestha Badi 10, 1901 (May 1844)

Regmi Research Collection, Vol. 34, pp. 635-36.

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Regmi Research (Private) Ltd.

ISSN:0034-348X

Regmi Research Series

Year 16, No. 8

Kathmandu: August 1984

Edited By

Mahesh C. Regmi

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Lazimpat, Kathmandu, Nepal

Telephone: 4-11927

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Jumla Affairs, A.D. 1844-45  
(Continued from the July 1984 issue)

Emoluments of Tharis

Deulu Mahat and Ratibhan Mahat submitted the following petition to Kathmandu:

"No emoluments have been prescribed for us Tharis, even though we have to work according to the orders of the Amali and the military authorities at Chhinasim. How then can we maintain our livelihood?"

A royal order was, therefore, issued on Sunday, Jestha Badi 10, 1901 (May 1844) in the name of the Amali of Jumla directing him to pay emoluments as follows to the following Tharis from income earned by the Adalat of the Chandan Nath Paltans:-

<u>Name of Thari</u>	<u>Amount</u> (in 16-ganda rupees)
Deulu Mahat      --	Rs 15
Ratibhan Mahat    ---	Rs 3
Kaman Mahat      ---	Rs 3

Regmi Research Collection, Vol. 34, p. 634.

Emoluments of Satadham Shahi

Petition of Satadham Shahi of Galfa division (dara) in Jumla:

"We belong to the family of the former Kalyal Kings of Jumla. These days we work for the government according to the orders of bhardars deputed to Jumla. However, we do not get any emoluments. For the past six or seven years, we have been presenting ourselves at the gates of the royal palace, and have been forced to borrow large sums of money."

The following royal order was then issued in the name of Satadham Shahi:-

"We hereby grant you emoluments (Khangl) amounting to Paisa Rs 25 from the thek revenue of Jumla. With full loyalty and honesty, prove true to our salt and provide services to us as directed by our Amali and bhardars at Chhinasim."

Sunday, Jestha Badi 10, 1901 (May 1844)

Regmi Research Collection, Vol. 34, p. 627.

Appointment of Jimmawal

In the Vikrama year 1896(A.D. 1839), Basudeva Jaisi was appointed as Jimmawal for the following villages in the Bhurkadil-Badki area of the Sija division(dara) of Jumla.

- |                               |                             |
|-------------------------------|-----------------------------|
| 1. Bakakigaun.                | 2. Saligaun.                |
| 3. Agastibada                 | 4. Phunna.                  |
| 5. Lohachadi-Bistapatu        | 6. Upallo-Gothigaun.        |
| 7. Chulyalgaun                | 8. Tallo-Gothi              |
| 9. Dewargaun-<br>Brahmanpatti | 10. Dewargaun-Rakalpatti    |
| 11. Wamgaun                   | 12. Naregaun.               |
| 13. Dhapagaun                 | 14. Parilihi-Tharmadi       |
| 15. Parilihi-Apargaudi        | 16. Nayekot.                |
| 17. Lihī-Dhitalgaun           | 18. Topla.                  |
| 19. Kadha.                    | 20. Lohachadi-Chipanyapatti |
| 21. Bodigaun.                 | 22. Rugagaun                |
| 23. Goragaun.                 | 24. Lungku                  |
| 25. Ghodyang                  | 26. Pharse                  |

Basudeva Jaisi was reconfirmed as Jimmawal after the Vikrama year 1901 (A.D. 1844) also. A royal order issued on Tuesday, Chaitra Sudi 7, 1900(March 1844) accordingly reconfirmed his authority to collect Sirto asmani and other payments according to the Thek-Thiti settlement made in the Vikrama year 1894 (A.D. 1839), and transmit the proceeds in four installments every year to the military unit (Paltan) stationed at Chhinasim. Basudeva Jaisi was also granted Rs 11 from such revenue as his own emoluments.

Tuesday, Chaitra Sudi 7, 1900(March 1844)

Regmi Research Collection, Vol. 34, pp. 604-5

Mineral Deposits

On Tuesday, Chaitra Sudi 7, 1900(March 1844) officials were sent to Jumla to locate deposits of copper, lead, iron, manganese, cinnabar, salt, steatite,

gold, etc. and arrange for their exploitation. The people who actually exploited these deposits were permitted to retain half of the output for themselves, and supply the balance free of cost to the government.

Regmi Research Collection, Vol. 34, p. 606.

#### Petition of Bhats of Jumla

Petition of the Bhats of Jumla: "From former times, we have been paying taxes and providing compulsory labor services (Jhara) in the same manner as others. (Saltais Ka Saraha Sanga --- "in the same manner as the 27." The significance of the term is not clear). Pashire-lands and forests at Chinarasi and other places have traditionally belonged to us. These days, outsiders (arekhi) are encroaching upon our rights in these Pashire-lands and forests, and revenue-collection functionaries are demanding unauthorized payments."

Local functionaries in Jumla (thani, thari) confirmed that the Bhats of that area had been duly discharging their fiscal and other obligations.

A royal order was issued on Sunday, Jestha Badi 10, 1901 (May 1844) directing that the Bhats of Jumla should be allowed to use their Pashire lands and forests in the customary manner if these belonged to them.

Regmi Research Collection, Vol. 34, pp. 630-31.

#### Appointment of Thanis

On Sunday, Jestha Badi 10, 1901 (May 1844), Harihar Acharjya and Padma Acharjya were appointed as Thanis for the collection of revenue in Manigadhi, Ghodasain, and several other villages in the Chaudhabis division (dara) of Jumla. They were required to hand over the proceeds to the Jimmawal of that dara.

Regmi Research Collection, Vol. 34, p. 635.

#### Emoluments of Thani-Jimmawal

Thani-Jimmawal Vamadeva Jaisi Dhital of Jumla submitted a petition to Kathmandu praying that he be granted emoluments (mana-dana) in the same manner as other Thanis, Thakuris, Tharis, and Jimmawals of the district. A royal order was



accordingly issued on Sunday, Jestha Sudi 2, 1901 (May 1844) sanctioning a yearly payment of Rs 20 (in 16-ganda rupees) from land-tax revenue (Sirto, Pota, Thek) collected in Satigaun village of Sija division (dara).

Regmi Research Collection, Vol. 34, pp 636-37

(To be continued)

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### Mokarri Land Grants in the Eastern Tarai

During the eighteenth and nineteenth century, agricultural lands were often granted to individuals under what was known as mokarri or istimrar - mokarri tenure.

Under the heading "Fixed-rent Tenures," B.H. Baden Powell writes: "Under this class I may consider the 'istimrari,' the 'muqarrari,' and maurusi' tenures existing from before the Permanent Settlement. These Persian names ... give no clue to origin, and only describe certain incidental features; but it may be reasonably supposed that they originated in some closer and hereditary connection with the land, either independent of any contract with the Zamindar, or such as to have won recognition in the shape of a special lease or tenure from the local authorities.

" Properly speaking, 'istimrari' refers to the stable or perpetual nature of the tenure, which is not voidable when the estate is sold for arrears. 'Muqarrari' refers to the rent being fixed; and a tenure might be either istimrari or muqarrari, or, more commonly, both. 'Maurusi' merely means that the tenure is hereditary, and implies nothing about the fixity of rent

(The Land Systems of British India (reprint), New Delhi, Oriental Publishers, 1974, Vol. 1, P. 540.

G.A. Grierson (Bihar Peasant Life, reprint of 1875 ed, New Delhi, Cosmo Publications, 1975, P. 324) writes: "A tenure which may be either intermediate or cultivating ... is mokarri, or tenure in perpetuity at a fixed rent. In some parts of the country these are also popularly known as Sikmi tenures, which usually mean under-tenures held by a cultivating raiyat." He has also recorded (P. 325) that " a tenant at fixed rates is istimrari."

Mahesh C. Regmi writes: " Mokarri land grants in the eastern Tarai closely resembled Kut grants to non-cultivators in the hill regions. Under the Mokarri system, the State assigned lands or villages to individuals on payments of a fixed sum of money every year. The Mokarri holder, in consideration of this payment, enjoyed authority to collect land and other revenues and reclaim waste lands in the areas assigned to him. Mokarri grants were both on a temporary and permanent basis. The difference between the amount stipulated for payment and the revenue that the Mokarri holder actually collected constituted his profit."

(Mahesh C. Regmi, A Study in Nepali Economic History, 1768-1846, New Delhi: Manjusri Publishing House, 1971, P. 96).

H.H. Wilson has defined Istimrar as "continuance, perpetuity, a farm or lease granted in perpetuity by government or a Zamindar, at a stipulated rent, and exempt from abwabs; Such a lease granted in charity at a quit-rent," and Istimrari as "permanent, perpetual; applied especially to a permanent settlement of the revenue, and particularly to the settlement of the lower provinces made by the government of Lord Cornwallis." (A Glossary of Judicial and Revenue Terms, (reprint of 1855 ed), New Delhi, Munshiram Manoharlal, 1968, P. 221).

A few specimens of mokarri land grants in the eastern Tarai region during the nineteenth century are given below:-

(1) Guru Brahmadata Mishra

The mouja of Parsa-Adhar in the Simraungadh area of Rautahat had been granted by the local authorities on mokarri tenure to Guru Brahmadata Mishra on payment of Rs 161 a year. The grant was reconfirmed through a royal order issued on Chaitra Sudi 1, 1859 (March 1803). It entitled Guru Brahmadata Mishra to appropriate income from Mal-jihat, Sair-jihat, Jalkar, bankar, bihadani, Sagaudha, and danda-gunahagari:

Regmi Research Collection, Vol. 20, P. 19.

See also: "Mokarri Land Grants in Rautahat,"

Regmi Research Series, Year 9, No. 11, November 1, 1977, P. 173.

(2) Kaji Damodar Pande

On Chaitra Sudi 15, 1859 (March 1803), Kaji Damodar Pande was granted the moujas of Balahiya and Galopatti in the Totani area of Bara district on mokarri tenure on payment of Rs 251 a year. He was authorized to appropriate any income collected in those moujas in excess of that amount.

Regmi Research Collection, Vol. 20, P. 23.

(3) Gosain Bakhat Giri

On Tuesday, Aswin Sudi 11, 1874 (September 1817), the moujas of Dolathi and Hamsapur in the Koradi Parganna of Mahottari district were granted to Gosain Bakhat Giri on Istimirar-Mokarri tenure. In consideration of the payment of a specified sum of money (figure missing in the text) every year, he was permitted to appropriate revenue from the following sources in the two moujas:

1. Mal (agrarian taxes).
2. Katiyari (taxes on households of occupational groups).
3. Bihadani.

4. Sagaudha.
5. Singarhat.
6. Fees payable to the Amil.
7. Maryo-aputali (escheats).
8. Judicial fines and penalties (danda-gunahagari)

However, Crown levies (raja-anka) and buried treasure (Kalyana-dhana) were not placed under the jurisdiction of the Mokarri-holder.

Regmi Research Collection, Vol. 43, PP. 37-38.

(4) Ranbir Mahat

On Friday, Poush Sudi 9, 1874 (December 1817), the Kamtalasi mouja (that is, a mouja on which taxes are assessed at concessional rates) of Garhaun in the Simraungadh area of Rautahat was granted on mokarri tenure to Ranbir Mahat on payment of 237 Patna rupees a year. He was entitled to appropriate income from mal, sair, bihadani, Katiyari, Sagaudha, hat, danda-kunda, maryo-aputali, Singarhat, bhainkharcha, and fees due to the amali (amilan dastur), with the exception of raja-anka levies. The order added, "Promote reclamation and settlement in this mouja with ryots procured from India, as well as from birta and Jagir lands (within the Kingdom). Any loss or profit, as the case may be, belongs to you. No compulsory and unpaid labor services (beth, begar) shall be exacted from the inhabitants of this mouja, except for governmental purposes."

Regmi Research Collection, Vol. 43, PP. 65-66.

(5) Horil Singh and Others

Half of the revenue of the mouja of Balara in the Simraungadh area of Rautahat had been assigned as Jagir to Horil Singh, Sivaka Singh, Bakhtaur Singh, Ram Bux Singh, Shiva Sahaya Singh, and Bhawani Singh. On Baisakh Badi 1, 1874 (April 1817), the mouja was granted to them on Mokarri tenure against a payment of Rs 601 a year. They were entitled to appropriate income from Mal, Sair, bihadani, Katiyari, Jalkar, banker, and Sagaudha. Half of the amount, that is, Rs 300-8, was assigned to them as Jagir.

Saturday, Magh Sudi 7, 1874 (January 1818).

Regmi Research Collection, Vol. 43, PP. 71-72.

(6) Manoranjan Das

On Magh Sudi 2, 1874, (January 1818), the mouja of Bahadurpur in the Simraungadh area of Rautahat was similarly granted to Manoranjan Das on Mokarri tenure. The tax assessed on the mouja was then increased from Rs 101 to Rs 141 a year.

Regmi Research Collection, Vol. 43, PP. 72-73.

(7) Bhanarsingh Fanet

The mouja of Pipra in the Asibhou Parganna of Bara district, which had been assigned to the Hattisar (Elephant Depot), was granted on mokarri tenure to Bhanarsingh Fanet on Monday, Ashadh Badi 10, 1885 (June 1825).

Regmi Research Collection, Vol. 43, PP. 111-12.

(8) Mahant Ballabh Giri

Royal order to Mahanta-Raj Ballabh Giri: "Because foodgrains were required for offerings at the temple of Kapileshwaranatha in Mahottari district, the Thera-Gopalpur area had been granted on mokarri tenure. Later, that mouja was granted as birta to Kulanand Jha. (The temple authorities) were then authorized to collect contributions from the people of Saptari and Mahottari for the purpose. However, these contributions were subsequently abolished on the ground that people were unable to pay them. An assignment was then made from the agrarian-tax revenue (Mal) collected there. However, (the temple authorities) represented (to Kathmandu) that the amount of the assignment was not adequate. They prayed that lands be granted instead, since it would then be possible to cultivate such lands and obtain foodgrains for offerings at the temple.

"We, therefore, hereby abolish the cash assignment and grant the mouja of Sakari-Kataiya in the Parganna of Mahottari in Mahottari district on mokarri tenure from Baisakh Badi 1, 1893 (April 1836) on payment of Rs 220, half in mohar rupees and half in Patna rupees, every year. The grant entitles the beneficiary to appropriate income from the following sources; Mal, Sair, Katiyari, bihadani, Sagaudha, Singarhat, daily emoluments (roj-talabana) of the gumasta and the Patuwari, levies due to the Amil (amilan-dastur), rahata-bahata, danda-Kunda, maryo-apatali (escheats, not exceeding Rs 100 in each case), with exception of Crown levies (raja-anka)

Tuesday, Chaitra Sudi 5, 1892 (March 1836)

Regmi Research Collection, Vol. 27. PP. 371-72.

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Registration of Undeclared Lands in the  
Madi-Bheri Region

On Ashadh Sudi 1, 1906 (June 1849), the Sadar Dafdarkhana sent an official team to the Madi-Bheri region of western Nepal to perform the following functions:-

(1) Registration of lands and homesteads inadvertently left unregistered during the A.D. 1837 surveys, as well as newly-reclaimed and undeclared lands and homesteads.



(2) Collection of taxes and other payments on Jagera lands and homesteads.

A public notification published in this connection prescribed the following arrangements in respect to Jagera land taxation:

"If it appears that there is scope for enhancing the amount of taxes assessed on old rice lands, the existing tenant shall be allowed to continue if he agrees to such an enhancement. If he does not do so, the lands shall be reallocated to any other person who stipulates payment at the enhanced rate."

Regmi Research Collection, Vol. 48, pp. 687-88.

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#### Royal Order to Praja Communities

Royal order to Praja communities of Tamang, Murmi, Thami, Sunuwar, Pahari, Hayu and Mijhar in the region situated east of the Trishul-Ganga river and west of Sanga/Sindhu - bhanjyang.

"You are hereby ordered to proceed to the Tarai region under the command of Subba Gambhir Singh Ale and Jamadars Dala Singh Gurung, Parath Khadka, and Kasiram Thapa in fulfillment of your Jhara obligations. Attack or ambush convoys of the Firangis (i.e. British) along routes through which they transport arms and ammunition, and blockade such routes. You are hereby exempted from forced-labor obligations (jhara, beth, begar for other purposes, as well as from payment of miscellaneous taxes (Udhanni, Padhamni). You are also permitted to appropriate for yourselves whatever property you can plunder from the Firangis, including elephants, horses, utensils, coins, etc. In case you attack the Firangi troops in this manner, we shall restore your confiscated Kipat lands and also grant you other rewards. With due assurance, take along your weapons with you and proceed to the front en bloc."

Tuesday, Falgun Sudi 6, 1872  
(March 1816)

Regmi Research Collection, Vol. 42, pp. 224-25

On Tuesday, Falgun Sudi 6, 1872 (March 1816), Subba Gambhir Singh Ale, and Jamadars Dala Singh Gurung, Parath Khadka, and Kashiram Thapa were ordered to impress the jhara services of Praja communities such as Tamang, Murmi, Thami, and Sunuwar, have them take along with them bows and poisoned arrows, and proceed to the Tarai region for ambushing convoys of the Firangis transporting arms and

ammunition , and blockading the routes,"Appropriate for yourselves one-fourth of all property looted from the Firangis, including elephants, horses, utensils, coins, etc. In case you successfully complete your mission, we shall grant you suitable rewards."

Regmi Research Collection, Vol. 42, p. 224.

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### Revenue Settlement in the Bheri-Mahakali Region

On Kartik Sudi 8, 1908 (October 1851), Bada Captain Rana Mehar Simha was deputed to the Bheri-Mahakali region to perform the following functions:-

1. Register lands and homesteads inadvertently left unregistered during the A.D. 1846 Survey, as well as newly-reclaimed and undeclared lands, and assess taxes on such lands and homesteads.
2. Reconfirm all Chhap, manachamal, and halbandi grants if the owner can produce documents bearing the seal of the then reigning King. As regards other grants of these categories, reconfirm them subject to an income ceiling of fifteen rupees each if the owner has a house with tile or stone roof and has made his village populous.
3. Scrutinize all chhap, manachamal, and halbandi grants made under the royal seal, or through the orders of bhardars and other officials, to rajas and other prominent persons in the Bheri-Mahakali region. If any grant should be reconfirmed, in your opinion, submit a report to the Prime Minister along with necessary particulars. Abolish those grants that are being used without performing any service at your discretion, and remit the income to us.
4. Conduct a fresh measurement of any lands and homesteads in respect to which complaints are received of discrepancies in area because of corruption in the course of the previous survey, or of damage as a result of floods and washouts, or the death of the owner without leaving behind any heirs, and assess taxes accordingly.
5. Ascertain if any Jimmawal has appropriated for himself income from judicial fines and penalties in villages where such income must be incorporated into the stipulated amount of revenue according to regulations, realize the amount so appropriated, and transmit it to us.



Any Jimmawal who has imposed fines in contravention of regulations shall be punished with a fine of an equal amount.

Collect all arrears of the Salami levy imposed during surveys held from time to time since 1898 Vikrama (A.D. 1841), and impose a fine of an equal amount on any Jimmawal or government employee who is found to have collected the levy from the people but not transmitted the proceeds to us.

6. If it is found that lands and homesteads belonging to any person had been registered in the course of the settlement made (at the Palace in Kathmandu) in 1903 Vikrama (A.D. 1846), make arrangements to have such lands and homesteads registered in the name of the actual owner.
7. Abolish the posts of Dafdari and Jimmawal with effect from the Vikrama year 1909 (A.D. 1852), and resume their Jagirs. Appoint an honest and prominent local person, who is trusted by the people of the village and also liked by you, as Mukhiya for the collection of taxes. Obtain a stipulation in writing from the people of the village that they will undertake liability if revenue is not collected properly.
8. Establish offices at places where rajas reside, and appoint two honest and efficient huddas and sipahis in each such office. The rajas shall provide four manas of rice a day to each such hudda and sipahi, dispense justice in their presence, forward the written confessions to the bhardars at Silgadhi for necessary instructions, and impose fines and penalties in accordance with such instructions. Income from such fines and penalties shall be appropriated by the rajas themselves. In case the huddas and sipahis take gifts and bribes, work under the pressure of the rajas, suppress information relating to injustice committed by them against their subjects, and do not report the matter to the bhardars at Silgadhi, the latter shall dismiss them and withdraw their Jagirs.
9. Scrutinise the asmani levy assessed collectively on each village during the revenue settlement of the Vikrama year 1903 (A.D. 1846) in the Bheri-Mahakali region, and apportion the total amount of the levy on each household. Also assess land tax on thek or pota basis on households that had been granted exemption previously on the ground that they belonged to slaves.
10. Do not let the lands of persons who have vacated their holdings and gone abroad (Moglan) without paying taxes and other payments (bhot-pota) due from them remain uncultivated. Reallot such lands to

another ryot belonging to the same village, and assess the Pota tax on such lands in his name. In case no local ryot is available, the lands may be reallocated to a ryot belonging to another village. Unclaimed (ukas) lands may be reallocated to a newcomer only after giving the first option to a local ryot.

11. Resume such area from Jagir assignments as is in excess of the prescribed area in the Bheri-Mahakali region, and use such excess area to meet shortfalls in other Jagir assignments, if any. Reconfirm such royal orders and official orders as are appropriate in your opinion, and cancel the rest.
12. Scrutinise Khet and Pakho lands in the raiya of Jajarkot. Assess serma tax on Pakho lands according to the hale, pate, and kodale categories. Measure rice lands (Khet) and assess Pota tax according to the quality. Reconfirm lands yielding an annual income of Rs 3,000 to the Raja of Jajarkot, and place the rest under his jurisdiction. Arrange for the collection of taxes through Mukhiyas, and transmit the proceeds to us.
13. Inspect Kagate-Hulak and Thaple-Hulak posts in the Bheri-Mahakali region, and make appropriate arrangements in respect to number and distance. Submit the draft of an order to be issued by the Prime Minister in this regard.
14. Enforce the regulations adopted by our Bhardars in respect to slaves in areas up to the Mahakali river. Similarly, enforce the regulations adopted by our Chautariyas in respect to the Khawas (slaves) of Thakuris.
15. Place in detention any Jimmawal, Thani, Thari, Dafdari, Mukhiya, or other prominent person (bhala-admi) who creates obstacles or withholds cooperation while you are performing the work mentioned in these regulations, and submit a report to the Prime Minister for necessary action.
16. In case any person makes a one-sided representation and succeeds in obtaining a royal or other order accordingly with the intention of creating obstacles in your working in accordance with these regulations, submit a petition to the Prime Minister giving the actual facts. We shall then take both versions into consideration and issue orders accordingly.

17. If there arises any matter which is not provided for in these regulations, do what you think necessary in our interests, or else report the matter to the Prime Minister for necessary instructions. Maintain an attendance register of military employes and submit it through the Prime Minister. Collect payments on vacant Jagir assignments.
18. Obtain statements from the concerned persons in respect to sources of revenue not mentioned in royal orders prescribing thek-thiti arrangements for the collection of revenue in the Bheri-Mahakali region, as well as to the proceeds of the sale of enslaved persons which may have been misappropriated. Collect such amounts until the Vikrama year 1908 (A.D. 1851) along with fines. Make necessary arrangements so that after the Vikrama year 1909 (A.D. 1852) revenue from sources not incorporated in thek-thiti arrangements is collected through bhardars who are in charge at Doti.
19. Issue instructions to rajas in the Bheri-Mahakali region to abolish Jimmawals and arrange for the collection of revenue through Mukhiyas in each village from the Vikrama year 1909 (A.D. 1852). Compile a list of slaves provided by rajas, Jimmawals, and Mukhiyas to Bhardars since the Vikrama year 1904 (A.D. 1847)
20. In case any person has settled a village on lands granted to him by the former rulers, which have been reconfirmed in his name after that territory came under our authority, assign him the responsibility of collecting taxes from such lands and do not appoint any other person as Mukhiya.
21. A sum of Rs 1,122 from the income collected in the course of the revenue settlement is hereby sanctioned as follows to pay the salaries of the following employees:-
- |                |     |                  |        |
|----------------|-----|------------------|--------|
| 1 Diththa      | --- | Rs 500           | a year |
| 1 Tahabildar-- |     | Rs 150           | ,,     |
| 4 Nausindas--- |     | Rs 432           | ,,     |
| 1 Tahaluwa --- |     | Rs 40            | ,,     |
|                |     | <u>Rs 1,122.</u> |        |
22. The following military personal shall be employed for clerical duties for the duration of the settlement operations:-

1. One Patti headed by a Jamadar of the Chandan Nath Paltan.
2. One Patti headed by a Jamadar of Jwaladal Company.
3. do Bhawani Bux Company
4. do Srinath Company
5. do Aridaman Company.

Saturday, Kartik Sudi 8, 1908  
(October 1851)

Regmi Research Collection, Vol. 48, pp. 693-704.

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Jagir Land Assignments, A.D. 1796

On Ashadh Sudi 2, 1853 (June 1796), separate official teams were sent to the following areas to inspect rice-lands (Khet) and income from homesteads (Khuwa) which had been assigned as Jagir to different companies of the army:-

- (1) Bhadgaun (urban and rural areas).
- (2) Patan (do).
- (3) Kathmandu (do).
- (4) Areas west of the Sanga/Sindhu region and east of the Chepe /Marsyangdi region.
- (5) Areas west of the Dudhkosi river, including Sindhu, Naldum, Dhulikhel, and Panauti.
- (6) Areas west of the Chepe /Marsyangdi and east of the Kali/Modi.
- (7) Areas west of the Kali/Modi and east of the Bheri river.

The inspection thus covered the entire central hill region west of the Dudhkosi river and east of the Bheri river. It did not extend to the Kirat region east of the Dudhkosi river and the far-western hill region west of the Bheri river, or, more explicitly, the Dudhkosi-Mechi region in eastern Nepal and the Bheri-Mahakali region in the west. The reason was that in these two regions, Jagir assignments were usually made in the form of revenue, rather than of lands and homesteads as in the central hill region.

The objective of this measure seems to have been to check discrepancies between the registered area and the actual area of Jagir holdings, and resume the surplus area, if any, for fresh Jagir assignments.

A new schedule of Jagir assignments was prescribed on the same day (Ashadh Sudi 5, 1853). (The document from which a copy was made for the Regmi Research Collection was damaged by insects and several letters or words are, therefore, missing. The following is a free translation).

Royal order to Jagirdars, including Subedars, Jamadars, Majors, etc. of all companies:-

"We hereby prescribe a new schedule (raibandi) of land and cash assignments to Jagirdars of all ranks in the army. Everyone shall accept assignments according to this schedule. Any person who renders meritorious services will be suitably rewarded.

"Do not dismiss soldiers with a long record of service. In case any soldier is guilty of murder or any other crime, refer the case to us, and appoint new persons only with our orders.

"In case there is any surplus of paddy or wheat left after appropriating incomes according to this schedule, deposit it with the Tosakhana. In case lands are damaged by floods or washouts, we shall meet the shortfall. But you shall not receive anything if you are unable to cultivate the lands assigned to you and so leave them uncultivated.

"Any Subedar who lets Jagir lands be reallocated to others, or granted as birta, without obtaining other lands in exchange shall be held guilty.

"In case any military employee is dismissed without any reason and without voluntary resignation, he shall be entitled to rents from the wheat crop.

"The allotment of Jagir lands on adhiya tenure shall be valid if made to the person who has paid the Chardam - theki fee first during the appropriate season.

"A military employee, once his appointment is confirmed, shall not be dismissed without any reason. Any person who appropriates for himself a part of Jagir incomes, without paying the concerned employee in full, shall be severely punished.

"A company which comprises more than 160 rifles shall discharge the functions of two small companies.

Schedule

<u>Description</u>	<u>No.</u>	<u>Rate of Khet assignment</u> (in muris) <u>for each</u>	<u>Rate of Khuwa (homestead-tax revenue)</u> <u>for each</u>
1. Subedar	1	1,100	Rs 400
2. Jamadar	4	600	Rs 55
3. Major	1	400	Rs 25
4. <u>Ajitan</u>	1	400	Rs 25
5. <u>Kote</u>	1	400	Rs 25
6. <u>Front Nissan</u>	1	280	-
7. <u>Rear Nissan</u>	1	260	-
8. Hawaldar	8	280	-
9. Ambaldar	8	260	-
10. Sipahi	85	200	-
11. Pipa-Jamadar	1	200	-
12. Tabale (Drummer)	1	200	-
13. (Missing)	2	180	-
14. do.	2	160	-
15. do.	2	140	-
16. do.	2	180	-
17. do.	16	160	-
18. do.	1	160	-
19. do.	2	200	-
20. do.	2	180	-
Total member of personnel ...	...	...	142
Total area of Khet land assignment ...	...	...	31,760 muris
Total amount of Khuwa revenue ...	...	...	Rs 695



Brahman Settlement in Bhotgaun, Morang

On Thursday, Shrawan Sudi 13, 1868 (July , 1811), virgin lands in the Hattighisa Parganna of Morang, South of Islimba hill, were granted for reclamation and settlement to the following Brahmans. The grants were tax-free, with the exception of Crown levies (raja-anka), the allotments were known as gachh.

- |                                     |                                   |
|-------------------------------------|-----------------------------------|
| 1. Chhabilal Padhya                 | 2. Kamalapati Padhya Pandit       |
| 3. Vidyapati Padhya Dahal           | 4. Vamshidhar Padhya Timilsina    |
| 5. Gangadhar Padhya Adhikari        | 6. Laxman Padhya Adhikari         |
| 7. Narayan Padhya Rijal             | 8. Bhagirath Padhya Nyaupane      |
| 9. Dhruva Padhya Pokhrel            | 10. Dharmananda Padhya Khatiwada  |
| 11. Nandikeshar Padhya Ghimire      | 12. Dharmananda Padhya Khatiwada  |
| 13. Baijanath Padhya Bhattarai      | 14. Vishnuhari Padhya Dhakal      |
| 15. Tikaram Padhya Arjyal           | 16. Jayanarayan Padhya Lamsal     |
| 17. Dayaram Padhya Arjyal           | 18. Tikaram Padhya Chilkhada      |
| 19. Bhawani Shankar Padhya Adhikari | 20. Siddilal Padhya Lamsal        |
| 21. Jokhu Padhya Koirala            | 22. Laxman Padhya Khatiwada       |
| 23. Kalu Padhya Pandit              | 24. Kanthu Padhya Regmi           |
| 25. Khumakarna Padhya Tewari        | 26. Radha Padhya Pandit           |
| 27. Harivansha Padhya Khanal        | 28. Chandrashekar Padhya Adhikari |

Regmi Research Collection, Vol. 40, PP. 246-47.

No information is available about the fate of this colonization scheme. We do not know what social, economic factors impelled these high-caste Brahmans, obviously belonging to the adjoining hill region in eastern Nepal, to settle in what was then a wild and virtually unexplored territory. Nor do we know what political factors impelled the government to try to establish a Brahman settlement in those inhospitable surroundings. Indeed, the scale and character of the colonization scheme seems to be unprecedented. Further information in this regard will be presented in the Regmi Research Series as and when available.

July 30, 1984.

Mahesh C. Regmi.

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Regmi Research (Private) Ltd.

ISSN: 0034-348X

Regmi Research Series

Year 16, No. 9,10

Kathmandu: September-October 1984.

Edited By

Mahesh C. Regmi

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Bhote and Murmi Rebels

(Free translations)

1. Royal order to the Praja inhabitants of Panchsayakhola:

"When people belonging to the Murmi community engaged in rebellion (Kul) they were captured and beheaded. If any of the rebels is hiding there, seize him and hand him over to your Amali. It has been proved that you were not involved in the rebellion; no action will be taken against those who were not so involved. Occupy your lands and homesteads, engage in trade and other occupations, and discharge the prescribed obligations through the Amali."

Shrawn Badi 12, 1850 (July 1793)  
Regmi Research Collection, Vol. 36, P. 11

## 2. Royal order to the Praja inhabitants of Talakhu:

"The inhabitants of other villages who were guilty of rebellion have been beheaded. If you are not so guilty, go back to your village, look after your lands and homesteads, and provide the prescribed services on Sera lands. In case the Bhote rebels flee to your village, capture them and hand them over to the Amali."

Shrawan Badi 12, 1850 (July 1793)  
Regmi Research Collection, Vol. 36, P. 12

3. Royal order to the Murmi Prajas of Phokatpur village:

"When miscreants in your village started a rebellion, the ringleaders were beheaded. However, we have pardoned their relatives and followers (Kabila) and sent back to their homes. You are therefore ordered to go back to your village and reoccupy your lands and homesteads. Discharge your customary obligations in the prescribed manner through the Amali."

Shrawan Sudi 6, 1850 (July 1793)  
Regmi Research Collection, Vol. 36, P. 15

This order was sent to the Murmi inhabitants of the following villages as well:-

- |                  |                    |
|------------------|--------------------|
| 1. Tapeka        | 2. Sanogaun        |
| 3. Dhaibung      | 4. Kamchok         |
| 5. Upallo-Gerkhu | 6. Lachyang        |
| 7. Hilpa         | 8. Bhulutar-Jewang |
| 9. Kabilas       | 10. Chogde         |
| 11. Pudiketkpa   | 12. Chidyang       |

All these villages are located in Nuwakot.

4. Royal order to Bhote and Murmi Prajas throughout Palanchok:

"We have received reports that you are afraid of your lives because you had taken part in the recent rebellion. Those who were guilty of murder have already been beheaded. You no longer need to have any fears on this account. With full assurance, discharge your customary obligations as usual."

Aswin Sudi 4, 1850 (September 1793)  
Regmi Research Collection, Vol. 36, P. 36

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Jagirdar's Privileges in Mahottari

## Royal order to Kazi Bakhtwar Singh:-

"We have received reports that the Subba of Mal lands (i.e. lands from which revenue was appropriated by the government) is claiming income from Sair (customs) duties and jimidari levies collected in Dharmapur and nine other maujas in Mahottari district. These moujas form part of the jagir assigned to Kazis. We hereby reconfirm the jagirdar's privileges in respect to these moujas as enjoyed by Kazi Jaspau Thapa until the Vikrama year 1866 (A.D. 1809). Both Sair duties and jimidari levies have been included in the jagir. Use these moujas as your jagir according to practices followed until Vikrama 1866.

Kartik 10, 1866 (October 25, 1809)  
Regmi Research Collection, Vol. 38, P. 592.

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Kazi Balanarasingh Kunwar's Assignments

The following royal orders were issued in connection with a special assignment of Kazi Balanarasingh Kunwar, father of Jung Bahadur, on Kartik 10, 1867 (October 1810):-

1. Jagir Assignments for the Army

"You are hereby authorized to prescribe schedules (raibandi) of jagir land assignments to both new and old companies, for whom such schedules have not been prescribed, as well as for companies to be recruited in the future. Resume lands in excess of the figures mentioned in the schedules, and assign additional lands in cases of shortfall. Arrange for the reclamation of waste lands which can be irrigated and grant tax-exemption on such lands for a specified period in the beginning."

Regmi Research Collection, Vol. 38, P. 591

2. Public Notification Regarding Authority Granted to Kazi Balanarsingh Kunwar

"We have granted authority to Kazi Balanarasingh Kunwar to reclaim lands as rice-fields wherever possible in homesteads or pastures on jagir, manachamal, bekh-bunyad, chhap, and other holdings belonging to royal priests, Chautaras, Kazis, Sardars, Khajanchis, Subbas, Dwares, Najikis, jestha budhas, ditthas, Subedars, Jamadars, Umras, etc. Allow him to make arrangements for such reclamation. Persons who reclaim lands under prescribed terms and conditions shall be allowed to appropriate the income with full assurance. Any person who causes any obstruction in the reclamation of lands in this manner shall be liable to punishment."

Regmi Research Collection, Vol. 38, pp. 592-93

3. Land and Revenue Functions

"You need not submit accounts and records relating to rice-lands on which rents (bali) have been collected, or new tenants appointed, according to our orders. In the case of unclaimed (ukas) lands, send your men to ascertain the output, sell the rents, transmit the income to us, and submit accounts. Take similar action in the case of revenue from the Darshan-Bhet levy as well. Scrutinize documents relating to rice-lands and homestead-tax revenue (Khuwa) comprising jagir assignments, inspect such lands, and make arrangements for granting jagir, manachamal, and birta lands according to the concerned documents."

Regmi Research Collection, Vol. 38, P. 593

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A Lac Plantation in Pallokirat

Subba Harka Bali and Subba Sukharaj owned a catechu plantation in the Nibukhola area of Pallokirat, from which they produced lac. The plantation had been started by their father. Because the local people trespassed on the plantation and felled the catechu trees, the two Subbas submitted a petition to Kathmandu. A royal order reconfirming their title to the plantation was, therefore, issued on Monday, Jestha Badi 3, 1904 (May 1847).

The Subbas paid a thek tax on the plantation, and the revenue had been assigned as jagir to the Srinath-Kampu and the Srijung Paltan.

Regmi Research Collection, Vol. 35, P. 380

Note: It is obvious that the two Subbas owned the plantation under kipat tenure. Such property rights in land were virtually unknown in state-owned raikar in the middle of the nineteenth century, particularly in forests and plantations.

Regmi Research Collection, Vol. 35, P. 380

Amanat Regulations for Chitaun, A.D. 1818

On Ashadh Badi 10, 1875 (June 1818), Harivamsha Jaisi was appointed for the collection of revenue on Amanat basis in Chitaun, succeeding Balabhadra Padhya. He was assigned a yearly salary of Rs. 300. His staff included a Peshkar and seven peons. The appointment was effective for the one-year period from Baisakh Badi 1 to Chaitra Sudi 15, 1875 (year beginning April 1818). (Regmi Research Collection, Vol. 42, P. 321).

The district of Chitaun was then known as Marjyadpur. It comprised four Pargannas in both the hill and inner Tarai regions: Chitaun, Belod, Sajhaut, and Gahidwar.

The following regulations were promulgated in the name of Harivamsha Jaisi on Baisakh Badi 1, 1875 (April 1818).

Regulations

(Free Translation)

1. The rates of taxation shall be as follows for ryots who have been settled for a long time in the cultivated moujas of these four pargannas:-

<u>Description</u>	<u>Rate of Tax</u>
Ryots ...	Rs. 7½ per Hal (plow-team) comprising six oxen
Immigrants from India Plowmen ...	Rs. 3 and 12 annas do.
(angabariya) ...	One rupee per household
Households which require priests ...	Rs. 1¼ each

Other levies shall be collected at the following rates:-

<u>Description</u>	<u>Rate</u> (on each mouja)
Farakhtane ...	Rs. 4
Ambal-Bheti ...	Rs. 1
Tikabheti ...	Rs. 1
Pagari-Salami of Mahto ...	Rs. 1

2. Amalis and Ijaradars used to collect a levy known as Maujeyan-Dastur. In the future, they shall only accept such provisions as are offered willingly by the ryots on the day when they visit the concerned mouja. There shall be no forcible exaction.



3. The rates of taxation in the cultivated moujas for the high-land areas (Cachar) shall be as follows: (see note at end):-

<u>Description</u>	<u>Rate of Tax</u>
<u>Praja</u> cultivators ...	Rs. 2 per plow-team comprising two oxen
Immigrants from India ...	Rs. 1 do.
Plowmen (angabariya) ...	Eight annas per household
Households requiring priests ...	Eight annas per household

Other levies shall be collected at the following rates:-

<u>Description</u>	<u>Rate</u> (on each mouja)
Farakhtane ...	Rs. 2½
Ambal-Bheti ...	Rs. 1
Tikabheti ...	Rs. 1
Pagari-Salami of Mahto ...	Rs. 1

Taxes from Praja households in the hill areas shall be collected at the rates prescribed by Dware Bhawananda in the Vikrama year 1860 (A.D. 1803).

(Note: The ijara system of revenue collection in Chitaun was abolished on Ashadh Badi 9, 1860 (June 1803) and the amanat system introduced. Dware Bhawananda was appointed as Subba to implement the new amanat arrangements. The rate of the plow-tax throughout Chitaun was then reduced from Rs. 9 to Rs. 6½ per hal (plow-team). Regmi Research Collection, Vol. 20, P. 99. Additional information on this subject is contained in "Land Tax Assessment Rates in Chitaun", Regmi Research Series, Year 3, No. 4, April 1, 1971, pp. 85-86)

The rates of taxation on newly-reclaimed Kalabanjari lands in all the four Pargannas, inclusive of the Cachar area, shall be as follows:-

	<u>First year</u>	<u>Second year</u>	<u>Third year</u>
1. Rate per <u>Hal</u>	6 annas	12 annas	Rs. 1½
2. Households of plowmen (angabariya), each	2 annas	4 annas	8 annas
3. Households requiring priests, each	8 annas	8 annas	8 annas

Other levies shall be as follows (on each mouja):-

<u>Description</u>	<u>Rates</u>		
	<u>First year</u>	<u>Second year</u>	<u>Third year</u>
( <u>Parakhtana</u> )	8 annas	Rs. 1	Rs. 2
<u>Tikabheti</u>	8 annas	8 annas	Rs. 1
<u>Pagari-Salami of Mahto</u>	Rs. 1	Rs. 1½	Rs. 2

From the fourth year, taxes and levies on newly-reclaimed moujas shall be collected at the normal rates applicable to old moujas.

5. Supply oil worth Rs. 400 at prices current there to the Kot-Bhandar (Royal Household) as usual.
6. Procure ivory, rhinoceros horn, and rhinoceros calves from the local forests and send them to us. We shall grant a suitable reward to the person who does so. Expenses incurred on rhinoceros calves shall be debitted in the accounts.
7. Customary expenses incurred for Dashain ceremonies shall be debitted in the accounts.
8. In case a confession is obtained from any person guilty of murder, cow-slaughter, and violent and lawless activities in the presence of local prominent persons, punish him with fines, if appropriate. If punishment in respect to life and property is necessary, arrest him and put him in irons. Refer the case to us and take action as ordered.
9. Invite merchants to export sal and khair timber from that district. Refer necessary matters in this connection to us and take action as ordered.
10. Work wholeheartedly in such a manner that our interests may be promoted and you get credit. Refer to us any matter that requires our sanction; we shall investigate it and take appropriate decisions.
11. Punish moneylenders who charge interest at rates exceeding ten percent from the Praja inhabitants of the district. Issue a public notification prohibiting interest at higher rates in the future.
12. Collect revenues from sal and khair exports, as well as the kachharai tax (on cattle grazed in the local forests), and duties on buffaloes, throughout the district. In case any person claims that revenue from these sources has been included in jagir, birta, manachamal, chhap, or bekh-bunyad grants, check the relevant royal orders and take action accordingly.

The term Cachar or Kachhar has been defined as "a high river bluff". (George A Grierson, Bihar Peasant Life (reprint of 1885 ed.), Delhi: Cosmo Publications, 1975, P. 164. The term "bluff" means, according to the Webster's New World Dictionary, "a high, steep, broad-faced bank or cliff".

Mahe sh C. Regmi.

### Sera Lands in Tokha

Royal order to Kulananda Jha:

"We hereby grant you a three-year ijara for the management of sera lands in Tokha, which have been assigned to the Hattisar (Elephant-Depot), from Baisakh Badi 1, 1872 to Chaitra Sudi 15, 1874. The ijara was previously held by Hanumanta Singh.

"Rents on these lands amount to 1095 muris of rice a year, which shall be apportioned as follows:-

<u>Description</u>	<u>Quantity</u> (Muri-Pathi-Mana)
1. For Hattisar ...	1080-0-0
2. For religious purposes: ...	15-0-0
(a) Sri Chandeshwari Temple ...	5-4-4
(b) Sri Taleju Temple ...	2-12-4
(c) Sri Balanilakantha Temple ...	5-4-0
(d) Sri Guhyeshwari Temple ..	0-5-0
(e) Guthi functions ...	0-3-0
(f) <u>Hoganayata</u> (?) ...	0-3-0
(g) <u>Bisket</u> festival ...	1-8-0
Total:	1095 muris

"The fifteen mohinaikes, and the twenty-five porters employed for the transportation of rice, shall be exempted from forced-labor obligations (beth, begar), the saunefagu tax, homestead taxes (ghargani), the sahanapiwal tax, the dhalwa levy, and other payments (udhauni, padhauni). The Amali shall have no jurisdiction over them in this matter. The Adai shall (despense justice) and collect fines and penalties from the mohinaike and porters.

"Do not harass the Mohinaikes. In case the Sera lands are damaged by floods or wash-outs, or in case crops are damaged by drought or other causes, we shall send men to assess the extent of the damage and grant appropriate remissions. Punish those who cultivate lands in excess of the area actually allotted to them without declaring such excess area."

Monday, Aswin Badi 30, 1872 (September 1815)  
Regmi Research Collection, Vol. 42, pp. 82-84.

Pota Tax Remissions, A.D. 1796

Royal orders were issued on Ashadh Sudi 2, 1853 (June 1796) granting exemption from the pota tax to the following persons:-

- (1) Vidyapati Bande Newar of Kwabahal Tole in Kathmandu, on a total area of 59½ khets owned by him under Suna-Birta tenure at Tokha, Tahachal, Thapathali, and elsewhere.
- (2) Laxmi Narayan, veterinary physician (for the royal bulls), on a total area of nine ropanis endowed by him as Guthi for Sri Shivalinga and Sri Mahakala.

Regmi Research Collection,

Vol. 23, p. 51.

On Marga Badi 11, 1853 (November 1796), the pota tax was similarly remitted on 35 ropanis of Suna-Birta lands owned by Dhana Singh Budhe Newar of Marutol in Kathmandu in appreciation of his gift of fruits and vegetables to the royal household. (Ibid, p. 189)

On Saturday, Baisakh Sudi 3, 1850 (April 1793), a royal order was issued in the names of Jagat Muni and Chhatrapati granting them exemption from payment of the pota tax amounting to Rs 16 and 15½ annas on 39.43 ropanis of Suna-Birta lands owned by them in consideration of the priestly functions performed by them at the Sri Bhairavi-Bhagawati and Sri Manakamana temples in 1953 Vikrama (A.D. 1896). Their descendant, Rajendra Muni Gubhaju of Kwabahal, Thahiti (Kathmandu) registered 4.004 ropanis out of this area as his share of the property at the Kathmandu Pota Bandobast Adda.

Regmi Research Collection, Vol. 13, P. 54.

Hodgson on Justice

Edited By:

Ludwig F. Stiller, S.J.

(The editor of the Regmi Research Series is grateful to Fr. Ludwig F. Stiller, S.J., for permission to reproduce this valuable unpublished material).

## PREFACE

The information provided here on the law and the administration of justice in Nepal was gathered by Brian H. Hodgson, Resident to Nepal during the latter part of Bhim Sen Thapa's rule. The information falls under several distinct headings:

- Chapter I:       Answers provided by three qualified respondents to a lengthy questionnaire prepared by Hodgson.
- Chapter II:       Answers by one of these respondents to a list of supplementary questions.
- Chapter III:      Two Parts
- Part I:       Data on the major crimes and the punishments usually meted out for these crimes.
- Part II:       Data on the actual incidence of these crimes.
- Chapter IV:       Hodgson's summary of the main points of Nepal's judicial system.
- Chapter V:        An extract from a paper prepared by Hodgson explaining the court system at the time when one of the Residency sweepers had committed a serious offence and the question of the sweeper's being tried in a Nepalese court was raised.

The information contained in these five chapters was included in a series of reports sent to the governor general of the East India Company. In preparing these reports for publication, I have taken several liberties:

1. Hodgson listed separately for each respondent his questions and the answers provided to those questions. To facilitate comparison of the respondents' answers, I have included the answers from all three respondents under each question. The reader will find that each respondent interprets each question in his own way and answers that part of the question that appeals to him.
2. I have referred to the three respondents in Chapter I merely as "A", "B", and "C". Hodgson provides two names: Bang Singh and Krishna Ram Pandit. He does not tell us which set of answers belongs to Krishna Ram and which set belongs to Bang Singh (or Bhang Singh?). We only know that these two men were respondents "A" and "B".

Internal evidence may help. Krishna Ram Pandit was at the time of writing, and had been for some years previously, the Dharmadhikar of Nepal. The Dharmadhikar handled all cases that involved the loss of caste but no other judicial matters.

Bhang Singh had been the Dittha, or chief justice, stationed in Kathmandu. At the time he answered Hodgson's questionnaire, Bhang Singh was in Banaras. He had been accused of irregularities and "malversations" while in office and had chosen to live in Banaras rather than to undergo investigation for these accusations. There is no way to identify respondent "C" from Hodgson's notes. This respondent adds some very interesting material on trial procedures, but what qualification the respondent had for this information cannot be discerned. He does seem to be especially well informed about justice in the outlying provinces.

Hodgson himself never had a chance to discuss his questions or their answers with his respondents. He had only the answers they provided. The material Hodgson chose to include in his reports is only a part of the material he had at his disposal, so his conclusions may indeed go beyond the material included in these three sets of responses and the additional information he acquired by the supplementary questions answered by Respondent "B" (the former Dittha?).

Hodgson speaks of the Desh Achar of Gorkha. Exactly what this might be is not clear from his notes. It would be extremely useful if some scholar could bring forward this document to complete our understanding of Law and Justice in the days preceeding the Muluki Ain of Surendra Bikram.

3. I have edited Hodgson's language in quite a number of questions and also his summary. His sentences in the summary were unnecessarily long and cumbersome. As for the questions, many were so syncopated it was difficult to understand just what he was asking. Fortunately I had three separate translations of the questions to guide me in editing. The questions as printed here are less succinctly expressed, but perhaps more understandable for most readers.

Ludwig F. Stiller, S.J.  
Kathmandu  
30 July 1984



Chapter ITHE ADMINISTRATION OF JUSTICE IN NEPAL  
ACCORDING TO HINDU PRINCIPLES

## Part I: THE COURTS

1. Question: How many courts of Justice are there in Kathmandu, and what are their names?

Answers:

A. There are 4 Nyaya Sabhas. The first and chief is called Kotaling. The 2nd, Inta Chapli. The 3rd, Taksar. The 4th, Dhansar.

B. There are four; 1st, Kotaling; 2nd, Inta Chapli; 3rd, Taksar; 4th, Dhansar.

C. There are eight:

- |                                |                           |
|--------------------------------|---------------------------|
| 1. The Kausi <sup>1</sup>      | 5. Taksar                 |
| 2. Bangya Baithak <sup>2</sup> | 6. Dhansar                |
| 3. Kotaling                    | 7. Daftar Khana           |
| 4. Inta Chapli                 | 8. Chibandel <sup>3</sup> |

In the Kausi, the Sarkar itself renders Justice. The Bangya Baithak is the general fiscal record office. A separate Dittha presides over it. It is also a Mal Adalat. The Inta Chapli, Kotaling, Taksar and Dhansar are the proper Adalats, all exercising both civil and criminal judicature. In the Daftar Khana the disputes of the Soldiers relative to the lands assigned them for pay are investigated. The Chibhandel is a tribunal for the settlement of all disputes relating to houses; whence the etymology, Chi meaning house and Bhandel meaning Bhandari. Neither of these last has criminal jurisdiction and whatever penal offences may issue out of soldiers' claims and claims relating to houses are carried to the Inta Chapli. All these Eight Adalats are situated in the City of Kathmandu within eighty or ninety paces of each other.

2. Question: What are the territorial limits of the jurisdiction of each court?

1.Kausi or Kosi, the same as the Bharadar Sabha of the later answers. B.H.H.

2.Bangya Baithak, the same as the Kumari Chowk, B.H.H.

3.The registry office for houses is the Chi Bhandel. That for lands the Bhu Bhandel. Institutions most creditable to Nepal. See Chapter II, questions 27-29. B.H.H.

## Answers:

- A. There are none. At the plaintiff's pleasure, any civil suit, whatever its amount, may be heard in any of the four courts of the Capital. Penal cases must be carried to the Inta Chapli.
  - B. There are no such limits assigned.
  - C. There are no express limits of the kind. Any citizen of Kathmandu or Bhadgaon, or any subject dwelling in the provinces, may carry his cause to any court, provincial or Sadar, that he fancies.
3. Question: What are the limits of the civil and penal jurisdiction of each?

## Answers:

- A. Answered in No. 2 above.
  - B. All four courts hear and determine civil cases without limit. So likewise in penal cases. But in offences involving the loss of life or limb the prisoner and proceedings are handed up from the three other courts to the Inta Chapli where the proceedings of the lower court are reviewed and where alone the power of inflicting punishment rests.
  - C. There are no limits assigned.
4. Question: Are all the courts of the Capital of equal and concurrent jurisdiction or not?

## Answers:

- A. The other courts of the Capital are subject to the Kotaling in which the supreme judicial officer or Dittha personally presides.
- B. All the courts are subject to the orders of the Dittha or President of the Inta Chapli and Kotaling.<sup>4</sup>
- C. All courts exercise civil and criminal jurisdiction, both provincial and Sadar. But the "Panch Khat" are subject to the exclusive ultimate cognizance of the Sarkar. On the occurrence of any one of these offences, it is necessary to report the case to the government. The government, upon examination of the report, will either direct such and such punishments to be

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<sup>4</sup>.Hodgson provides a marginal note here, but the writing is too faded to be legible.

inflicted on the offender, or, if the offence has been committed in the interior and it be not deemed fit to entrust the local court with even the primary investigation of the matter, the government may direct that the offender and the evidence of his guilt be sent to Kathmandu to the Sadar Adalat.<sup>5</sup>

5. Question: Do the courts always sit or have they terms and vacations? And when and of what extent are the vacations?

Answers:

- A. The courts always sit, with the exception of only 15 days in the year: 10 days at Dasahara and 5 days at Dewali, during which time the courts are closed.
- B. The courts sit for all 12 months of the year with the exception of only 7 days, during which times the courts are closed: four days at the end of September or the beginning of October and the remaining three days towards the close of October.

6. Question: Are the courts of the Capital fixed, or do their judges make circuits?

Answers:

- A. The courts are fixed. No judicial authority of the Capital ever leaves the Capital. When there is need, the Ditttha sends special judges (Bichari) into the provinces.
- B. The courts are always fixed nor do any of the judges make Circuits; but the Ditttha of the Inta Chapali has the power of sending special judges to any part of the Kingdom to investigate official malversations when such occur.

7. Question: In what cases does an appeal lie to the BHARADAR SABHA, or Council of State, from the courts of the Capital and of the provinces?

Answers:

- A. If anyone is dissatisfied with the decision of the courts of the Capital on his case he may petition the government. The Bharadars (Ministry), assembled in the Kholcha, receive his appeal and finally decide.

5. There are eight courts at Kathmandu to settle disputes of property and punish offences. Civil actions to any amount may be brought in any of them. In regard to offences of a grave character, committed in the interior, the case must be reported to the Sarkar, which either orders such and such a punishment to be inflicted or commands the prisoner and witnesses to be sent to Kathmandu. Respondent C.

- B. No one is at liberty to carry his plaint in the first instance to the BHARADAR SABHA; but if he remain dissatisfied with the Proceedings had in his case in the several courts, he may then apply through the Dittha to the Maharaja. The Prince in such cases directs his chief judges and Bharadars to investigate the matter in the BHARADAR SABHA.

The result of their investigation is reported through the Chief Minister to the Prince who usually directs a decree such as the report suggests.

- C. If the matter is serious and one or other Party is dissatisfied with the judgement of the court of law, he applies first to the Premier. If he does not get satisfaction from him either, he then proceeds to the Palace Gate and calls out: "Justice Justice". When this appeal reaches the Raja's ears it is met thus: 4 Kazis, 4 Sardars, 4 eminent Panch-men, 1 Dittha, and 1 Bichari are collected in the Palace and the matter is referred to them. Their decision is final.

8. Question: Has the BHARADAR SABHA any original jurisdiction?

Answers:

- A. Answered above, number seven.
- B. The supreme ordinary appeal court is the Kotaling; but those who are dissatisfied with its decision can apply to the BHARADAR SABHA or Council of State. When the investigation of the BHARADARS is complete the Premier reports it to the Prince, after which the Prince issues his orders on the case. These orders are definitive.

9. Question: Are the BHARADARS or Ministers of State assisted in judicial cases by the Chief judicial authorities of the Capital?

Answers:

- A. They are. The Dittha, the Bicharis, and the Dharmadhikar sit with the Kazis (or Ministers) in such cases.
- B. When the Dittha and Bicharis cannot settle the matter in grave cases relating to the loss of caste and such like, the case is transferred to the BHARADAR SABHA, and the Bharadars are assisted by the Dittha and Bicharis of the Kotaling and, if need be, by the Dharmadhikar also.

10. Question: Is there any prosecutor general or defender general in the system?

Answers:

- A. No, none whatever.

B. There is no Sarkar Vakeel in our courts. In the courts in Hindusthan, a Jilla judge who has decided unjustly cannot be punished. Provision is made only for an appeal. Here, on the contrary, if the Ditttha do any wrong, he is immediately punished. We have therefore no need of a government Vakeel.

11. Question: If the prosecution fail to appear at the trial of an offender confined at his instance, is the offender dismissed or what course is taken?

Answers:

- A. The offender is not dismissed, but remanded to confinement and the trial deferred.
- B. In Nepal, if anyone informs against another affirming that he has committed a theft or other offence, the appropriate officers of the court to which the complaint is brought are immediately dispatched to apprehend the accused. As soon as the accused arrives, the case is investigated. There is no delay whatever. If the accused is convicted he is instantly punished. If, on the arrival of the accused, the accuser is not forthcoming, a search is made for him. The investigation is put off even for a long while, till the accuser is found and produced. If, after much delay and vain search for the accuser, the relatives of the accused offer bail for his appearance when wanted, the bail is taken and the accused permitted to depart.

12. Question: What and how many provincial courts are there in Nepal?

Answers:

- A. For the provinces west of the Capital there are two courts constituted by the supreme judicial officer at the Capital (that is the Ditttha) and two more for the Eastern provinces.
- B. One court for each Subba. (See Chapter II, question 3).

13. Question: Is the appeal from the provincial courts to courts of the Capital or to the BHARADAR SABHA?

Answers:

- A. There is an appeal to the supreme court of the Capital, or Kotaling.
- B. If anyone is dissatisfied with the decision of the court of his province he may appeal to any of the four courts of the Capital, and if in them also he gets no satisfaction, he may carry his cause to the BHARADAR SABHA. If also the provincial judge or those of the Capital are at any time perplexed with a cause before them, they usually refer the case to the BHARADAR SABHA.



C. Generally, all GRAVE CRIMINAL Cases are carried to the Sadar Adalats. Whoever receives charge of a province is expressly forbidden by the terms of his commission from exercising judicial cognizance of certain offences. These offences are called "Panch Khat".<sup>o</sup> 1. Brahmhatya or killing of a Brahman, 2. Gohatya or cow killing, 3. Strihatya, or woman killing. 4. Balhatya, or child killing. and 5. Patki, or all unlawful sexual commerce: incest, adultery, and such other actions as involve a loss of caste by the higher party. With the exception of these five, which must be reported to the Sarkar for decision, all penal cases and all civil ones are entirely within the cognizance of the provincial authority.

14. Question: Are not the powers of a provincial court related to the rank of the officer who happens to be nominated to the charge of the province? In other words, what are the powers of a provincial court of a Subha, of a Sardar, and of a Kezi?

Answers:

A. No, they are not. A provincial court has always the same authority whatever be the rank of the officer in command of the province.

B. The court has the same powers always, whatever be the governor's rank. But in all cases involving breach of the laws of religion and loss of caste the provincial court must forward its investigation with the offender's confession to Kathmandu to the government. The government refers them to the Dittha. The Dittha reports the customary proceeding had in such matters; and according to that report a LAL MOHAR command is transmitted to the provincial court to award such and such punishment, or, to send the offender and witnesses to Kathmandu, as the case may be. The provincial officer has no power to decide upon these affairs of JAT and PANI. To the decision of all others he is competent.

15. Question: When anyone is appointed to the government of a province, does the Dharmadhikar of Kathmandu send a Deputy Dharmadhikar with him? Or do the Dittha or Bicharis of Kathmandu send a Deputy Bichari with him? Or does the Provincial governor appoint his own judicial officers? Or does he himself administer justice?

Answers:

A. The provincial governor appoints his own judicial



authority, called usually Faujdar,<sup>7</sup> who transacts the business of the administration of justice. The Faujdar's appointment must be ratified by the Darbar.

- B. No deputies are sent from Kathmandu with Governors, but two Bicharis are appointed by the Dittha of Kathmandu for the Western Hills, and two more for the Eastern Hills, with a view that in cases when anyone is dissatisfied with the decision of the provincial court he may appeal to these Bicharis. And whenever cases of Chandraj or such like occur, a Pandit provided with the Shastra is despatched to the spot by the Dharmadhikar of Kathmandu. Exclusive of these limitations on his authority, the provincial governor, whatever be his rank, has unlimited judicial authority, always however reporting grave matters to the government and awaiting orders.

16. Question: Are the provincial courts usually subject to the Military or fiscal authority of the province?

Answers:

- A. Answered in the above.
- B. Military officers, fiscal officers, courtiers, and others, or whatever profession, are eligible to judicial situations in the provinces, if they have the confidence of government and are men of respectability and capable of the charge.

17. Question: Enumerate the name and function of every officer, from the highest to the lowest, attached to each of the Sadar and provincial courts.

Answers:<sup>8</sup>

- A. At the capital, one Dittha for all the 4 courts. For each court, two Bicharis, 1 Jamadar, 25 Sipahis, 35 Mahaniahs, and 5 Chaprassies. The Dittha gives orders to the Bichari. The Bichari to the Jamadar. The Jamadar to the Sipahis and Mahaniahs, the Sipahis and Mahaniahs make all persons present for the trial.
- B. At the Capital, one Dittha presiding over all four courts. In addition:

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7. Only in the Tarai, or Lowlands, where alone such Moslem terms prevail. These military terms current below prove nothing against what is noted above as to the absolute independence of the CIVIL institutions of Nepal upon Moslem models. The Gurkhas borrowed their military system entirely from below, but from us not the Moghuls. Here and there indeed the Mussulman name of a civil functionary has crept into use of late; but it is vox et praeterea nil.

8. See also Chapter II, question 5 below.

For the Kotaling: 2 Bicharis, 1 Khardar, 1 Major,  
1 Jamadar, 2 Havaldars, 2 Amaldars,  
40 Sipahis;

For the Inta Chapli:

1 Bichari,	1 Araz-begi,	2 Khardars,
2 Jamdars,	4 Havildars,	4 Amaldars,
40 Sipahis,	2 Mahanaikiahs,	128 Mahaniahs,
15 Tolmuls,	24 Chowki-Mahaniahs,	22 Kotwals,
2 Kumhal Naikiahs,	1 Tol-pradhan,	1 Pasal- pradhan,
1 Kotwal Naikiah,	2 Tavildars,	6 Bahidars;

For the Taksar:

2 Bicharis,	1 Khardar,	1 Jamadar,
2 Havildars,	2 Amaldars,	25 Sipahis;

For the Dhansar: The same as for the Taksar.

Directly subject to the Dittha are the whole of the above officers; to the Bicharis are especially subject the Khardars, the Tahavildars, the Jamadars, the Sipahis, etc. Immediately under the Araz-begi are the Mahanaikiahs with their Mahaniahs, the Chowki-Mahaniahs, the Kumhal Naikiahs, the Kotwals, the Tolmuls, the Kotwal Naikiahs, the Tol-pradhans, the Pasal-pradhans, etc. The Mahanaikiahs superintend the Mahaniahs.

- c. C. 1 Dittha, 1 Bichari, 1 Araz-begi.  
2 Naikiahs and several Mahaniahs.  
1 Jamadar and some Payedahs and Sipahis are indispensable to the constitution of a court of Justice.

The Dittha decides. The Bichari conducts the interrogation of the parties and ascertains the truth of their statements. The Bahidar writes the Kail-nameh which the Bichari's interrogation forces from the party in the wrong. The Araz-begi is the superintendant of the jail and sheriff, or person who presides over, and is answerable for, executions. The Naikiahs and their Mahaniahs inflict the Korah when needed and they are the Araz-begi's subordinates also. The Jamadars are responsible for having all persons present for the trial whose presence is required, whether parties or witnesses. The Payedahs and Sipahis obey the Jamadars and execute what the Jamadars direct. They execute processes, make and keep all persons forthcoming who are needed before, during, and after the trial till sentence be fulfilled.

18. Question: How are the judges and others attached to the courts paid? By salaries and fees, one or both?

Answers:

- A. By both. They receive salaries from government and take fees also.  
B. By both.

19. Question: Are there separate courts for the Cities of Bhadgaon and of Patan or do the inhabitants of these places resort to the courts of Kathmandu?

Answers:

- A. There are separate courts for Patan and for Bhadgaon,<sup>9</sup> one for each city. Each court has the following functionaries: One Subha, one Dwaria, one Bichari, four Pradhans, and fifty Mahaniahs. There is an appeal from these courts to the Chief court at Kathmandu, and important cases are often referred by them in the first instance to the Supreme court of the Capital.
- B. There are separate courts for either city, from which an appeal lies to the courts of the Capital.
- C. The supreme civil court of the capital (Mul Sabha) is the Kotaling - and the supreme penal court the Inta Chapli. The courts of the provinces and towns have no dependence on them; but are subject to the provincial and local governors. An appeal however lies from all the provincial courts to the supreme courts of the capital. The cities of Bhadgaon and Patan (like Kathmandu) have their own courts<sup>10</sup> - and to the westward and eastward, beyond these cities and in the Hills, there are eight Bicharis - four east and four west. Those Bicharis are nominated by the Dittha in the Inta Chapli. (See Chapter II.)
20. Question: How far and in what cases do the courts of the Capital use Panchayats. In civil and criminal cases? Or only in the former?

Answers:

- A. Both civil and criminal cases are referred to Panchayats in any and every case, at the discretion of the court or the wish of the parties.
- B. With the exception of cases of life destroyed, all matters may be referred to a Panchayat at the desire of the parties, but cases of battery and assault are not usually referred to Panchayats.
- C. Panchayats are used in civil and criminal cases, and multitudes of domestic Panchayats are also called, a practice much approved by the government. Public Panchayats are called to settle suits come before the

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9. Patan is two miles, Bhadgaon eight, from Kathmandu. Both were formerly capitals. B.H.H.

10. See Chapter II, questions 27-34.

courts. Domestic Panchayats are to settle matters never brought under the court's cognizance. In domestic Panchayats the members get small presents from the parties. In public Panchayats, the members have no remuneration, save the perquisite called Sabha Suddha.

21. Question: Are the Panch-men appointed by the government or by the parties, or does each party appoint an even number of Panch-men and the government add a casting voter and President, or how?

Answers:

- A. They are never appointed by the government, but by the judge at the request of the parties. No man can sit on a Panchayat without the assent of both parties.
- B. The Panch-men are appointed by the Dittha at the request of the parties, with whom solely the selection lies. After selection of their Panch-men by the parties, the Dittha takes from the parties an obligation to abide by the award of the Panchayat. The court or government never appoints Panchayats of their own motion, but, if the parties expressly request it, stating that they can get no satisfaction from their own Panch-men and give a petition to that effect to the government, the government will then appoint a Panchayat to sit on the case.
- C. The parties each name five Panch-men and the government adds five to their ten.<sup>11</sup>
22. Question: What is done to hasten the decision of the Panchayat if they delay their decision?

Answers:

- A. In such cases the matter is taken out of the hands of the Panchayat and decided by the court which appointed the Panchayat.
- B. The Panchayats assemble in the court which appointed them. Officers of the court are appointed to see that the Panch-men attend daily and fully, so that there never can be needless delay in the decision of cases by Panchayats.
23. Question: What are the resources of the Panchayat for securing the attendance of unwilling parties and witnesses and the production of papers? And what power has the Panchayat to give validity to their decree?

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11. Not correct. Consult the answers given above. B.H.H.

## Answers:

- A. The Panchayat has no power of its own to summon or enforce the attendance of any person, to make an unwilling witness depose, or to secure the production of necessary papers. All such executive aid is given by the court which appointed the Panchayat. In like manner, the decision of the Panchayat is referred to the court for execution. The Panchayat can give no orders - far less enforce them. It refers its judgement to the court by whom that judgement is carried into effect.
- B. All such executive duties are rendered to the Panchayat by the officers of the court which appointed the Panchayat. The Panchayat has no power of the sort of its own whatever, and the assumption of it would be a grave offense.

24. Question: Are the Panch-men required to be unanimous in their decisions or is a simple majority sufficient. What is done if there be one or two resolute dissentients?

## Answers:

- A. The Panch-men must be unanimous.
- B. They must be unanimous. Such at least is the general rule. But a very large majority will suffice in certain cases.

25. Question: Are there persons at Kathmandu who are constantly employed as Panch-men or as presidents of Panchayats, or are Panch-men exclusively selected for each occasion indiscriminately from the general body of citizens?

## Answers:

- A. There are no permanent individual Panch-men, but in all cases wherein Parbattiahs are concerned, it is necessary to choose Panch-men out of the following distinguished tribes: 1st Aryal, 2nd Khadel, 3rd Pande, 4th Pant, 5th Bohara, 6th Rana - one person being selected out of each tribe, and among the Newars, the tribes from which Panch-men, in cases affecting them, must necessarily be chosen are 1st Maiké, 2nd Bhanil, 3rd Achar, 4th Shrestha. In matters affecting persons neither Parbattiahs nor Newars there is no limit as to the selection by the parties of their Panch-men.
- B. There are no permanent or established Panch men, but wise, just, etc., such experienced men only are chosen for this duty.



26. Question: Are the Panch-men allowed travelling expenses or provided food for the duration of the trial? If allowed, who pays? Does each party pay for his own men?

Answers:

- A. Persons who sit on Panchayats are never paid any sum in compensation for travelling expenses or loss of time or on any account whatever.
- B. Panch-men receive no compensation whatever; the very idea of compensating them is abhorred.

27. Question: What is the Dittha's authority in those three courts of the Capital in which he does not personally preside?

Answers:

- A. The Bicharis or judges of those courts cannot decide independently of the Dittha of the Kotaling. The Bicharis of those courts are not "Swatantra".
- B. In that court in which the Dittha personally presides, cases are decided by the joint wisdom of himself and his Bicharis. In those courts in which the Dittha is not personally present, the Bicharis decide small matters absolutely, but they report their investigations of serious cases to the Dittha and decide according to the Dittha's directions.

28. Question: What officers do the courts have, to search for and apprehend criminals and bring them and the evidence of their guilt before the courts? Who sees to it that the sentence is executed?

Answers:

- A. The officers enumerated in answer to question 17 as being attached to the courts of the Dittha and of the Bicharis.
- B. The sole criminal court is the Inta Chapli. The Mahanaikiahhs and Mahaniahs of that court are those who search for and apprehend criminals. Those who execute the sentence, whether whipping or other, are the same officers and the others before enumerated.

29. Question: What officers serve processes in civil suits and see that unwilling defendents and witnesses in such suits are present? Who sees to the execution of the court's judgement?<sup>12</sup>

Answers:

- A. The last mentioned, as being employed in criminal cases.

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<sup>12</sup>. Apparently the respondents did not understand what Hodgson's question meant. Editor.



B. Civil suits may be tried in any of the courts. The executive officers of the courts are those before enumerated.

30. Question: What happens if either the plaintiff or defendant in a civil suit fails to attend at any stage of the trial before decision?

Answers:

- A. If the plaintiff is absent and the defendant present, it is the custom to take security from the defendant for his presence when wanted at some future time and to let him go. No decision is had in such cases. If the plaintiff is present and the defendant absent, the latter is not judged guilty. He must be searched for and found, and, until he is so, no decision can be come to.<sup>13</sup>
- B. If the plaintiff is not forthcoming, he is searched for. If he is not immediately found, Hazir Zamine is taken from the defendant to appear when wanted, and he is let go. But no decision is ever taken in the case in such circumstances. If the defendant is the absent party, the same course is pursued.
- C. Prior to "Thaping the Beri" the plaintiff may withdraw his suit and no further proceeding is had. But the case may be revived by the son or other representative of the plaintiff, if the plaintiff be dead, and when so revived it will be heard and decided.

31. Question: What security is there in criminal cases for apprehended offenders being prosecuted to conviction and to ensure that accusers and witnesses are present at the trial?

Answers:

- A. "Nail Zamine and Hazir Jamine" are taken from prosecutor and witnesses.<sup>14</sup>
- B. No answer given.

32. Question: In civil or criminal cases, what concern has the Dharmadhikar with the courts of law? Out of 100 cases brought before the courts, about how many will fall in any way under the Dharmadhikar's cognizance?

Answers:

- A. Eating with those with whom you ought not to eat. Sexual commerce with those between whom it is forbidden. Drinking water from the hands of those not entitled to offer it. In a word, doing anything from negligence, inadvertance, or licentiousness by which loss of caste is incurred,

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13. This has special application in the notorious case of Casinath Mull. See Letters from Kathmandu: The Kot Massacre, Chapter IV. Editor.

14. These terms are not current in the court, but are used merely as being intelligible to me. B.H.H.

renders the sinner subject to the Dharmadhikar's censure. The offender must pay the fine to the Dharmadhikar called, Go-dan and the Dharmadhikar will cause him to perform the Prayaschitta. Only in such matters has the Dharmadhikar any concern.

- B. In civil cases the Dharmadhikar has no concern whatever, nor in criminal cases, except such as involve some offence against religion or the law of caste.

33. Question: What are Prayaschitta, Gaddi Mabarak, Chumawan and Aputali?

Answers:

- A. Prayaschitta: the ceremonies one must perform to recover lost caste; Gaddi Mabarak: the offerings made to a new Raja on his installation; Chumawan: the presents made to the Raja to enable him to meet the marriage expenses when he himself, or his son or daughter, is married; Aputali: escheats, the lapse of property to the Prince for want of heirs to the last possessor.
- B. Prayaschitta: the ceremonies that must be performed for recovering caste; Chumawan: the offerings made to the Raja by all subjects on the occasions of his own or his son's marriage; Aputali: escheats, the lapse of property to the Crown for want of heirs to the last possessor.

34. Question: Is the Kumari Chowk an office of record and registry for all branches of the government or only for the judicial branch? Has it any judicial authority?

Answers:

- A. It is an office of record and registry for the fiscal administration and has no connection with the courts of law, nor does it contain their records.
- B. The Kumari Chowk has no judicial authority. It is not a court of law but the general record office of the fiscal administration.

## PART II: FORMS OF PROCEDURE

35. Question: Describe the forms of procedure step by step in a civil case.

Answers:

- A. Answered in the sequel.
- B. If a person come into court and state that another person owes, and will not pay him, so much money, the Bichari of the court immediately asks him the particulars of the debt. He replies by stating those particulars to the Bichari, who commands the Jamadar of the court to send one of his Sipahis to fetch the debtor.

The Jamadar accordingly sends a Sipahi along with the creditor, who goes to point out the debtor. The creditor pays the Sipahi two Annas per day until he has found the debtor and arrested him and brought him into court.

When the debtor is produced in court, the Dittha or Bicharis interrogate the parties face to face. The debtor is asked if he acknowledges the debt stated against him and if he will immediately discharge it. The debtor may answer by acknowledging the debt and stating his willingness to pay as soon as he can collect the means, which he hopes to do in a few days. In this case the Bichari will ask the creditor to wait a few days. The creditor may reply that he cannot wait, having immediate need of the money. If so, one of the Chapprassies of the court is attached to the debtor with directions to see that the debtor produces the money in court. The debtor must then produce money or goods or whatever property he has and bring it into court. The Dittha and Bicharis then call to their assistance three or four merchants and proceed to appraise the goods produced in satisfaction of the debt and immediately pay the creditor. The creditor cannot object to this appraisal of the debtor's goods and chattels. In matters thus settled - that is, where the defendant admits the cause of action to be valid, five percent of the property litigated is taken from the one party and ten from the other, and no more.<sup>15</sup>

If the defendant, when produced in court in the manner above related, deny the debt, then the Plaintiff's proofs are called for. If he has only a simple note of hand either unattested, or an attested acknowledgement, the witnesses to which are dead, then the Dittha and Bicharis interrogate the plaintiff thus. This paper is of no use as evidence. How do you propose to establish your claim. The plaintiff answers, "I lent the money to the defendant's father and the note produced is his handwriting and my claim is a just claim." Whereupon the plaintiff is commanded formally to pledge himself to prosecute his claim to a conclusion in the court wherein he is, and no other. The words, enjoining the plaintiff thus to gage himself are these "BERI THAPO" and the act consists in the plaintiff's taking a Rupee in his hand and striking the earth with the closed hand saying at the same time "My claim is just and I gage myself to prove it so." The defendant is then commanded to take up the gage of the plaintiff and pledge himself similarly to attend the court to the conclusion of the trial. This he does by formally denying the authenticity of the document produced against him as well as the reality of the debt. Upon this denial

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15. The fee or tax is called Dasond-Bisond, a compound word, and the passage might be rendered thus: "From ten to five percent according to circumstances is taken from the parties. The Parbattia language from which this paper is translated has hardly any grammar, the sentences often hanging together by mere juxtaposition." B.H.H.

he also strikes the earth with his hand closed on a Rupee. The Rupee of the plaintiff and that of the defendant are deposited in court.

The next step is for the court to take the fee called Karpan, five Rupees, from each Party. Both Beri and Karpan are the perquisites of the various officers of the court and do not go to the government. The giving of Karpan by the Parties implies that they desire to refer their dispute to the decision of the ordeal. Accordingly, as soon as the Karpan is paid, the Dittha acquaints the government that the Parties in a certain cause wish to undergo ordeal. The order for them to undertake it is thereupon issued from the Darbar. When the order has reached the court, the Dittha and Bicharis first of all exhort the Parties to come to an understanding and to seek the settlement of their dispute by other means than ordeal. If they refuse, the Trial by Ordeal is directed to proceed.

The ordeal is called Nyaya and the form of it is as follows. Upon two bits of paper the names of the Parties are respectively inscribed. The papers are rolled up into balls (called Gola); the Balls have puja offered to them, and from either Party a fine or fee of one Rupee is taken. The Balls are then affixed to staffs of reed, whereupon two Annas (called Narkouli) are taken from each Party. The reeds are then entrusted to two of the Havildars of the court and sent to the Rani Pokhari. The Havildars, a Bichari of the court, a Brahman, and the Parties proceed to the Rani Pokhari, as likewise two men of the Chamakhalak (or Chamar) caste. Arrived at the Rani Pokhari, the Bichari again exhorts the Parties to avoid the ordeal by some other settlement of the business, the truth of which lies in their own breasts. But if they insist on ordeal, the two Havildars, each with a reed, proceed, one to the East, and the other to the West side of the Pokhari, entering the water about knee deep. The Brahman, the Parties, and the Chamakhalak at this moment all enter the water a little way. The brahman performs puja to Varuna in the name of the Parties and repeats a sacred text, the meaning of which is that mankind know not what passes in the minds of each other, but that all inward thoughts and acts are known to the Gods Surya and Chandra and Varuna and Yama and that they will do right between the Parties to this dispute. When the Puja is over, the Brahman gives the Tilak to the two Chamakhalaks and says to them, "let the champion of truth win and let the false one's champion lose." This said, the Brahman and the Parties come out of the water. The Chamakhalaks then divide, one going to the place where one reed (Kerkat) is erected, and the other, to the other reed. They then enter the deep water and, at a signal, both immerse themselves at the same instant. Whoever first emerges from the water, the reed beside him with the scroll attached to it is instantly destroyed. The other reed is carried back to the court where the Ball containing the scroll is opened and the scroll read. If the scroll bears the plaintiff's name, the plaintiff wins the cause.



If the defendant's, the defendant is victorious. The fine called Jitauri is then paid by the winner and that called Harauri by the loser, besides which five Rupees are demanded from the winner in return for a turban, which he gets<sup>16</sup> and the same sum, under the name of Sabha Suddha (or purification of the court) from the loser.

The above four demands on the parties: Jitauri, Harauri, Pagri, and Sabha Suddha are government taxes. Exclusive of them, eight Annas must be paid to the Mahanias of the court. Eight Annas more to the Kotwals, and eight more to the Kumhal Naikias, and lastly eight more to the Khardar or registrar. In this manner multitudes of cases are decided by Nyaya (ordeal) when the parties cannot be brought to agree upon the subject matter of dispute and have no documentary evidence to adduce.

- C. Whoever has a complaint to make, true or false, goes to the court. The Bichari asks him against whom his plaint is, where the defendant is to be found, and of what nature the plaint itself be. The plaintiff explains and then asks for a Payeday of the court to go with him to whom he will point out the defendant. The Bichari gives the necessary order to the Jamadar; the Jamadar to his Havildar; and the Havildar to the Sipahis.<sup>17</sup>

The Sipahi ordered to go immediately asks eight Annas from the plaintiff. When he receives this, the Sipahi goes with him and arrests the defendant whom the plaintiff points out to him.

On the arrival of the defendant in court, the Bichari interrogates the parties face to face and usually brings them to such an understanding as prevents the necessity of going to trial. In this case Pan Phul (some small fees) are charged to them.

If the parties cannot be brought to an understanding and they persist in positive affirmation and denial, the Bichari commands them: "Beri Thapo" and takes one Rupee from each as Beri. After Beri is paid, Karpan also attaches, five Rupees from each party. When Karpan has been paid, the Bichari asks the parties if they desire to refer their cause to trial by Panchayat or by ordeal (Nyaya). If they say Panchayat, ten good men and true are appointed to sit and decide. After the decision, the tax called Jitauri is taken from the winner and that called Harauri from the loser. If the parties prefer

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16. This fee is called Pagari. B.H.H.

17. These Sipahis are not regulars, but a sort of militia, or provincials, exclusively attached to the courts. Each of the principal courts has a company of them or about eighty men.

ordeal, then one Rupee per ball (to roll up the parties' scrolls)<sup>18</sup> and two Annas per Narkat (to fix the balls on) are taken from each party and the trial is continued at the Rani Pokhari, a fortunate day only being chosen for the immersion. Whose champion raises his head first out of the water, his scroll with the ball and Narkat are sunk in the Pokhari. The other's ball and Narkat are carried back to the court. In this case (as in every other) the loser is made to sign a Kail Nameh, to "touch the stone", and pay a Rupee and four Dams. Besides this, he is fined according to his fault. However much is taken from the loser as Harauri and Dand, half as much is taken from the winner as Jitauri. Such is the issue by Ordeal. Beri means a Chain, and the act of 'Thaping the Beri' obliges the parties to persevere to a decision and prevents them from withdrawing the action. The proceeds go to the Bichari. Karpan is the beginning of Nayaya<sup>19</sup> - the way of Nyaya - and the payment implies that the parties have chosen this way of trial. Half the produce of five Rupees per party goes to the Dittha, half to the Bichari. The fee called

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18. The details as above in answer 35. A.

19. It is a significant circumstance that the word Nyaya (justice, right) is technically applied solely to ordeal. See, and compare with this statement Answer 19 in Chapter II. See also and compare the general tenour and spirit of Answer 14. The first great object of the courts of Nepal when litigations come before them is not trial, but reconciliation. The parties and witnesses all clamourously urge what occurs to them (never upon oath) and try their strengths against each other. The general result of this apparently uncomely, but really effectual, procedure is to bring the parties to an understanding, which the court takes care that the loser abides by. But, if the court cannot thus succeed in bringing the parties to reconcile their difference or to submit it to the court's summary arbitrations upon a view of the animated exhibition just described, then, and then only, the trial in our sense begins, the first step of the trial is to bind the parties to the issue: for that is the meaning of Thaping the Beri - a ceremony which then takes place. And here for the first time, oaths are permitted, which very generally are used instead of evidence. If the testimony of external witnesses is readily forthcoming, it is taken and preferred. But, in general, the parties themselves must look to that point well. For the court seldom cares to delay or to exert itself in order that witnesses may appear. Neither the people nor the judges deem external witnesses the one thing indispensable. (See answer 19), and if such are not readily forthcoming to give decisive testimony, the court and country are agreed to the propriety of at once resorting to various other modes of proof, with which, though once familiar, we now deem justice to have little connection. These modes of proof are enumerated in Answers 14 and 18. They are decisory oaths of the parties, in civil cases, either party taking the oath at their pleasure. Purgatory oaths of the accused in some penal cases. Ordeals of various kinds, both in civil and criminal matters.



Gola, of one Rupee per party, goes all to the Dittha. The fee called Narkouli is the Khardar's (Bahidar's) perquisite. There is one other fee called Sabha Suddha - one Rupee from either party - and this goes to the residue of the court's officers, not especially provided for by the above named fees.

36. Question: Describe the form of proceeding step by step in a criminal case?

Answers:

A. Answered in the sequel.

B. If anyone comes into court and states that such a person has killed such another by poison, sword, dagger or otherwise, the informer is instantly interrogated by the court thus: "How? who? when? before whom? the corpus delicti, where, etc." He answers by pointing out all these particulars according to his knowledge of the facts, adducing the names of the witnesses or saying that though he has no other witnesses than himself to the fact of murder, he pledges himself to prove it or abide the consequences of a failure in the proof. This last engagement when tendered by the accuser is immediately reduced to writing to bind him the more effectively. After this, one or more Sipahis of the court are sent with the informer to secure the murderer and produce him and the testimony of the deed in court. When these are produced, there follows an interrogation of the accused. If the accused confesses the murder, there is no need to call evidence. If he denies it, evidence is then gone into. If the witnesses depose positively to their having seen the accused commit the murder, the accused is again asked what he has to say. If he still refuses to confess, he is whipped into a confession, which, when obtained, is reduced to writing and attested by the murderer. The murderer is then put in irons and sent to jail. Thus theft, robbery, incest, etc., are tried in Nepal, and the convicts sent to prison.

And lastly (a very different sort of thing from the above) Panchayats, chiefly applied, but not exclusively, to civil actions. A Panchayat of this sort often acts the part of a jury when men of note are accused, the government nominating the Panchas. In civil cases, too, the parties tired of litigating, will sometimes desire the court or the government to nominate a Panchayat to hear and decide without appeal. Ordinarily, Panchayats are chosen purely by the parties, and half the judicial business of the kingdom is performed by them to the satisfaction alike of the parties, the public, and the government. The function of these Panchas appears to me to be essentially that of jurors (in the western system). They find the verdict, and the court, out of which they issue and in which they assemble, merely enforces their finding. Domestic Panchayats are another thing. They too are very popular, especially among merchants, whose wealth attracts the cupidity of the courts, and the community of merchants can, on the other hand, always furnish intelligent referees or Panchmen.

When the number of convicted prisoners amounts to twenty to thirty, the Dittha makes out a calendar of their crimes and adds thereto their confessions and statements of the punishment customarily inflicted in such cases. This list the Dittha carries to the BHARADAR SABHA (Council of State). The BHARADAR SABHA either ratifies the punishment allotted by the Dittha or substitutes another punishment. This list, altered or ratified in the Council of State, is referred by the Premier to the Prince. As a matter of form, the list is sanctioned by the Prince, after which it is re-delivered to the Dittha, who makes it over to the ARAZ-BEGI.

The ARAZ-BEGI, taking the prisoners and the Mahanaikiahs and some men of the Porya caste with him, proceeds to the banks of the Bishnumati, where the sentence of the law is inflicted by the hands of the Poryas in the presence of the Araz-begi and Mahanaikiahs. Thus are grave offences, involving the penalty of life or limb, treated.

In respect to mutual revilings and quarrels, false evidence, false accusation of moral delinquency, and such like minor crimes and offences, punishment is apportioned with reference to the caste of the offender or offenders.

- C. In grave cases of private wrong,<sup>20</sup> the complainant goes first to the Bichari who puts in writing the substance of the complaint and requests the complainant to come again on the morrow. The next day he comes, accordingly, and further investigation is made into his statement. When fully understood this statement forms the basis for an order to seize the accused. Payedays and Sipahis of the court are sent to apprehend and bring the accused into court.

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20. The words of the original mean literally "grave penal cases" but the context shows that the great public crimes cannot be alluded to, for informers and prosecutors pro bono publico would hardly be found if, instead of compensation, they met with taxation. In respect to the application of the taxes called Dasond-Bisond and Jitauri-Harauri to matters of tort and crime, this much seems certain that in all cases of tort whatever, even those that partake most of the nature of crime, both parties are taxed, more or less, under the names of Jitauri-Harauri, and that in respect to one case of public crime (that of theft, if the property is recovered) the tax called Dasond, or ten percent, attaches on the property. It should be observed that in Nepal, resort to the courts in matters of tort and injury is by prosecution, not by an action of, or for, damages. The very idea of the latter appears to be unknown.

When both accused and accuser are present in court, they are placed face to face, and the Bichari proceeds with the investigation, questioning them both and letting them try their strengths against each other. If in this manner the speech of both cannot be brought to accord, they are commanded to "Thap the Beri" and pay one Rupee each. Next, the evidence of witnesses is called for and heard. If there be none, resort is had to the ordeal of immersion in the Rani Pokhari. The loser in this Nyaya is made to "touch the stone" and is fined. The winner gets the Jitauri Pagri and pays the Jitauri tax. In matters of the first importance the Dand is one thousand Rupees and the Jitauri is five hundred. The Dhunga Chuayi is one Rupees from the loser. The Karpan: ten, five from each party. The Beri is two Rupees, one from each. The Narkouli, four Annas, two from each. In matters of small importance the Dand may be about two hundred and fifty and the Jitauri one hundred and twenty-five. The others as before.

If a theft has been committed and the thief taken in the fact, as soon as the news of it reaches the court, Sipahis and Mahaniahs of the court are sent to bring the thief before the court.

When the accused has arrived, the Bichari interrogates the thief as to where? when? how? whose property has been stolen? where the spoil is concealed? etc., etc., etc. The thief is compelled by threats and the Korah to confess. He is then sent to jail.

If a Parbattiah commit adultery with a Parbatni wife, the injured husband may, if he has power, cut down the adulterer and punish him with his own hand. If he himself cannot do this, he may employ his brother. If he has no brother capable of destroying the adulterer and so is helpless without the court's aid, he may apply to the Inta Chapli for redress. If the fact be proved, the adulterer shall be decapitated and his property confiscated.

If in a violent affray a man is killed, the Mahaniahs and Payedays of the court are immediately dispatched to apprehend and bring-in the man-slaughterer, who is sometimes caught immediately, sometimes after an interval of some months. Whenever he is apprehended and brought into court, he is condemned to death and his property confiscated. When in this manner several persons have been convicted and are collected in the jail for execution (capital or maiming) the Araz-begi makes out a calendar of them and presents it to the Dittha. The Dittha reports to the Sarkar and, having taken the orders as to the fulfilment of the sentences upon the convicts from the Sarkar, commits them all to the Araz-begi.

The Araz-begi, on some Saturday or Tuesday takes those condemned to the banks of the Bishnumati where men of the Porya caste are employed to fulfil the sentence of the court. Some are hanged by the neck - some by the heels - till dead. Some decapitated. Some

flayed alive. Some have a hand, a foot, a virile or some other member cut off. Some an eye plucked out. etc., etc., etc. according to their respective offences. Such is the criminal procedure of Nepal.<sup>21</sup>

37. Question: Do the parties plead viva voce or by written depositions?

Answers:

- A. They invariably state their own cases viva voce.
- B. Almost universally viva voce, but the plaintiff sometimes begins his suit with a written statement.

38. Question: Do the parties tell their own tales or employ Vakeels?

Answers:

- A. They tell their own tale. Vakeels are unknown.
- B. Almost universally they tell their own tale, but instances of a Pleader (Mukshari) being employed have occurred, usually a near relation, and only when the Principal was incapable. Professional or permanent Pleaders are unknown.

39. Question: In penal cases, can witnesses be compelled to attend to the summons of the accused and to depose, with all the usual sanctions?

Answers:

- A. Yes, the court compels the attendance of the witnesses for the accused in the usual way and their deposition.
- B. They are.

40. Question: Who pays witnesses expenses in criminal cases? Are such witnesses obliged to pay for their own food during attendance on the court and pay their journey to and from? or does the government support them?

Answers:

- A. The witnesses in penal cases support themselves. No allowance for food or travelling expenses is made them by anyone.
- B. Since criminal cases are heard and decided as soon as they occur, witnesses are never obliged to attend long on the court. They have, therefore, no allowance whatever

(To be continued)

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21. See Chapter III.

Regmi Research (Private) Ltd.

ISSN: 0034-348X

Regmi Research Series

Year 16, Nos. 11 -12

Kathmandu: November-December 1984

Edited By

Mahesh C. Regmi

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Regmi Research (Private) Ltd.

Lazimpat, Kathmandu, Nepal

Telephone: 4-11927

(For private study and research only; not meant for public sale, distribution and display).

Hodgson on Justice

Edited By:

Ludwig F. Stiller, S.J.

(Continued)

41. Question: In criminal cases, if the prisoner volunteer to confess, does his confession supercede the necessity of trial?

Answers:

A. It does entirely.

B. It does. No witnesses are called to prove his guilt, but his confession is taken in writing and attested by himself.

42. Question: If the prisoner is fully convicted by evidence, must his confession nevertheless be had?

Answers:

A. It must.

B. It must, and his confession must be signed by himself. Before such a confession under his own hand is obtained, he cannot be punished.

43. Question: If he be sullenly silent, how is his confession got at?

Answers:

A. He is scolded, beaten and frightened.

B. He is first scolded and frightened by words, and, if that does not succeed, he is flogged with the Korah till he confess. His confession is then recorded.

44. Question: May the prisoner demand confrontation with his accuser and cross-examine the evidence against him?

Answers:

A. No answer given.

B. He has both privileges always granted to him.

45. Question: In civil cases, are witnesses paid their travelling expenses and subsistence whilst in attendance or not? And if they are, how and when?

Answers:

A. Witnesses must in all cases bear their own expenses.

B. Witnesses must in all cases bear their own expenses.



46. Question: Must the expenses of a witness in a civil case be paid to him by the party as soon as he is requested to attend or will subsequent payment suffice?

Answers:

- A. Witnesses must attend without any allowances rendered.  
B. Answered above.

47. Question: In civil cases how are costs, exclusive of the expenses of the witnesses, distributed and realized? Does each party always bear his own costs, or are all the costs ever laid, as a penalty, on the losing side?

Answers:

- A. All costs whatsoever are distributed between the parties after the decision, according to fixed rules.  
B. In civil cases, in which the plaintiff's ground of action is not denied by the defendant and consequently it is only necessary to compel the defendant to pay a claim whose justice he does not dispute, five percent to ten percent (Dasond, Bisond) of the property in question is taken from the parties, according to circumstances. When there is affirmation and denial by the parties and the trial of right must be had, then the charges called Beri and Karpan attach. Beyond these, there are no other expenses attendant on the prosecution of civil cases.

48. Question: If a witness in a civil case refuses to attend or to give testimony, what does the court do? May the summoning party make a case for damages proportioned to his loss? May any additional punishment be inflicted on such a witness?

Answers:

- A. No answer given.  
B. The court will always compel the attendance of a witness required, and will compel his deposition too. If there is reason to suppose he is prevaricating or concealing some part of what he knows, he is imprisoned until he makes a full revelation.

49. Question: What punishment is given for perjury and subornation of perjury?

Answers:

- A. In trifling cases, the perjurers and suborners are fined. In grave matters, they are corporally punished, even capitally, according to the mischief done.  
B. The perjurer or suborner is corporally punished or fined, according to the weightiness or otherwise of the case in which the offence has been committed and according also to the offender's caste.

50. Question: How many sorts of evidence are admissible? Oral testimony? Writing of all sorts? Decisory oaths? Oaths of purgation and imprecation? Ordeals?

Answers:

- A. In civil cases the Hari Vamsa is put on the head of the witness preparing to depose and he is solemnly reminded of the sanctity of truth.
- B. Evidence of the four first sorts is admitted in all the courts of the Capital, but as often as it is necessary to resort to ordeal (DIVYA KRIYA NYAYA) the case must be removed to the Inta Chapli, if it did not originate there.
- C. Evidence of external witnesses is the first sort and best. If there are no external witnesses, then an oath is tendered on the Hari Vamsa to both parties. They are required to make their statements over again under the sanction of this oath. By these statements so taken, the court will sometimes decide. Or one party in such a case may tender the other a decisory oath, and if he will take it the tenderer must submit. Or (still if there are no external witnesses) if the one party suspects that the other will not scruple to perjure himself and so neither party will tender the other a decisory oath, then the court, if the case be a grave one, will command resort to the ordeal of immersion in water. The ordeal by fire is often resorted to in cases of persons charged with adultery or breach of the laws of caste. When there is no testimony to convict them, such persons are commanded to undergo the ordeal of fire.
51. Question: Is oral testimony taken on oath or without oath? What are the forms of swearing?

Answers:

- A. Both. The form of swearing is given above.
- B. An oath is never tendered to a witness in the first instance. If his evidence is contradictory or dissatisfactory to either of the parties, he is then sworn and required to depose afresh on oath. If the witness is a Shiva Margi or Brahmanical Hindu, he is sworn on the Hari Vamsa. If a Buddhist, on the Pancha Raksha. If a Moslem, on the Koran.
- C. If the parties refer their case to the trial by witnesses, each party says to his witnesses when preparing to depose: "speak truly, by your religion, to what you know of my affair". Then the Bichari of the court, having caused a spot of the ground of the court to be smeared with cow dung and spread over with Pipal leaves and a necklace of Tulsi beads to be put on the neck of the witness, places the witness on the purified spot of ground and causes him to repeat a Sloka the meaning of which is "whoever gives false evidence destroys his children and ancestors, body and soul, and his own earthly property." Holding the Hari Vamsa all the while on his head, and thus prepared, the witness deposes.

In the Plains the testimony of witnesses is always sought. Here, the trials, by ordeal and by decisory oath and purgatory oaths of the parties are as popular or more so.

The Panchayat and ordeal by immersion in the Rani Pokhari are also used.

52. Question: In civil cases, if testimony of men and writing is forthcoming, may either party insist on ordeal, or is ordeal only a last recourse. If one party demand the ordeal, must the other assent?

Answers:

- A. Ordeals are only substitutes, the best that can be had when oral and written testimony are both wanting.
- B. It is only a substitute for oral and documentary evidence in disputes about property and such like.

53. Question: May a prisoner, in criminal cases, rebut evidence by ordeal? Are ordeals allowed to any person under accusation of crime?

Answers:

- A. If the prisoner is convicted by evidence, but still refuses to confess and asserts his innocence, his demand for the ordeal must be allowed.
- B. If, in such circumstances, the prisoner persist in affirming his innocence and declare that the accuser and his witnesses are his enemies, then he may have the ordeal, but he cannot purge himself by any sort of oath (Sapat, Kriya).

54. Question: Do the parties ever depose in their own cases? Do they speak under the same sanctions as external witnesses in their pleadings?

Answers:

- A. In all cases, civil and criminal, the parties depose like external witnesses and under the same penalties for falsehood.
- B. Parties can be witnesses in their own cases. They always speak under the same penalties for falsehood as external witnesses.

55. Question: How does the court test for authenticity writings that are signed or sealed and attested. Does the court summon the attesting parties? If these are dead, does the court examine the handwriting?

Answers:

- A. In cases of bonds, etc., the witnesses to which are dead, and no other satisfactory witness is forthcoming, ordeal is resorted to.
- B. If the attesting witnesses to a bond are dead or not forthcoming, and no other evidence is procurable, resort is had to ordeal.

56. Question: How does the court test the authenticity of unattested and casual writings? Must the writer be produced, or is evidence of his handwriting admissible?

Answers:

- A. If the writer is forthcoming, he must be produced. If not, evidence of his hand is admitted and any other sort of evidence whatsoever that can be had. But if the result of the whole is unsatisfactory to the court, the court will direct an ordeal.
- B. If, in an action of debt, the plaintiff produce a note of acknowledgement of the debt by the defendant, and the defendant denies the note is his, and the fact cannot be ascertained, nor the defendant brought by threats and scolding to admit the note as his, but persists in denial, resort is had to ordeal. So it is in cases where the casual writing is in the hand of a third party and not that of the defendant. If the parties cannot be made to agree as to the authenticity of the note, and there is no other evidence in the case, the decision of the case is referred to ordeal.
57. Question: Are tradesmen allowed to introduce the entries in their account books to prove debts to them and must the shopmen who have entered the items be produced to validate such evidence?

Answers:

- A. The value of entries in merchant books, and, in general, mercantile affairs, are referred by the court to a Panchayat of merchants.
- B. If the parties are merchants and there are entries in the books of both against each other, the books of both are taken as valid evidence. If there are merchant books only on one side, a Panchayat of merchants is called, and their judgment upon the entries held to be decisive.
58. Question: How is the evidence of a man of rank taken?
- Answers:
- A. Such a person is not required to go into court and depose like another body.
- B. He is not required to go into court and depose. An officer of the court is deputed to wait on him at his house and to procure his evidence by interrogatories.

59. Question: How is the evidence of a woman of rank taken?

Answers:

- A. The court deposes a female to hear the evidence of a Lady of Rank and to report it to the court.
- B. In general, women are held incapable of being witnesses, but if in some particular case, the evidence of a Lady

of Rank is indispensable, some person who has the entree of the Zenana is deputed to hear and report to the court such Lady's evidence.

60. Question: Is oral evidence taken as uttered, by rapid writers, and enrolled on record or not?

Answers:

- A. In general oral evidence is not taken down or preserved; nor is it ever taken in whole. In trifling affairs, no record whatever is made of evidence, but in grave matters the substance of the more material depositions is preserved and recorded.
- B. No it is not.

61. Question: Are oral statements of the parties taken down as uttered or afterwards. Are they put on record in whole or in substance?

Answers:

- A. The usage is stated in the preceding answer relative to witnesses' depositions.
- B. No, no part of them is reduced to writing at the time of utterance or afterwards.
- C. If the parties desire the trial by witnesses, then an engagement is taken in writing from the parties to abide by the evidence given by their respective witnesses, i.e. not to object to it, and the witnesses then depose verbally. Their evidence is in no way recorded.

62. Question: Is written evidence recorded, entirely or in whole or in essence?

Answers:

- A. Important writings are copied and these copies are recorded after the decision of the case.
- B. Documents produced in evidence remain in the court during the trial and are returned to the owners when the trial is over.

63. Question: Is the decree recorded? Is a copy of the decree given to the winning party?

Answers:

- A. The decree is written. The original is given to the winner of the case, and a copy of it is placed in the record office of the court.
- B. The decree is not written or recorded.
- C. The winner gets a Pagri from the Sarkar, and pays five Rupees for it, and, in addition, Jitauri, proportioned to the amount of property litigated. He then gets a



Jita Patra in writing signed by the court. He gets the original, and a copy is recorded.

64. Question: Do decrees record the proceedings of the case in full or abstract?

Answers:

- A. In full with respect to whatever they profess to record, which, however, (as above stated) is not every step of the proceeding.
- B. Answered above.
- C. If the parties go to trial by ordeal of immersion in the Rani Pokhari (Nyaya, Divya Kriya) the scrolls (Boonda) of the parties are recorded in copy in the court.

65. Question: Are the records of the several courts of the capital preserved in the Kumari Chowk? Are they sent there immediately after each case is decided?

Answers:

- A. The Kumari Chowk is the general and ultimate place of deposit whither the records of each court of Justice are sent after explanation, and accounting for receipts to the government, at the close of each year. In the interim the records stay in the courts where the affairs are decided.
- B. The proceedings of each court remain in that court with the exception of the accounts of the receipts on behalf of the State from the decision of cases; the latter are transferred periodically to the Kumari Chowk.

66. Question: When a party in a civil case commences his pleading, does he pay any fee? Does he pay a fee when he exhibits a document? Upon what occasions in short is anything charged him?

Answers:

- A. There is no fee paid on any of the occasions referred to. What is taken is taken when the case is decided.
- B. Nothing is taken on the occasions referred to.

67. Question: What are Jitauri and Harauri? In what proportions and on what principle are they taken?

Answers:

- A. Jitauri is what is paid to the government by the winner of a case, and Harauri, what is paid by the loser. They are proportioned to the amount litigated.
- B. What is taken, in actions of debt and right from the winner is Jitauri; what from the loser, Harauri. Jitauri is 10% of the property litigated, and Harauri is 5%.



In cases of false accusation of delinquency, defamation, and such like, the offender when convicted is fined according to his ability.

68. Question: What is Dhunga Chuauna?

Answers:

- A. A stone (Dhunga), the image of Vishnu, is placed before the loser and he is commanded to touch it. He places a Rupee and one Pice on the stone and then salutes it with a bow and retires, leaving the offering.
- B. It is causing the party to touch a stone whereon are graven the feet of Vishnu.
- C. Dhunga is a stone having the feet of the Raja graven thereon. The party convicted in actions at law is fined one Rupee and one Pice as Dhunga Chuayi in order that by the expenditure of that sum on Puja to the "Charan" the sin of the party may be removed. As in the Plains, touching the feet of a Brahman removes sin, so here touching the feet of the Raja.

69. Question: Besides Jitauri, Harauri, and Dhunga Chuayi, what expenses fall on the litigants?

Answers:

- A. Half as much as is taken as Harauri is taken as Jitauri. Both go to the Sarkar, and are proportioned in amount to the property litigated. Dhunga Chuayi is one Rupee per case, taken from the loser. Sabha Suddha is one or two Rupees per case according to circumstances. Dhunga Chuayi is the perquisite of the Bichari.
- B. Beri, which is one Rupee from either party; Karpan, which is five Rupees from either; and there are no other demands on them.

70. Question: Can one make a civil case for damages for assault, battery, defamation, etc., or incest? Or must the slandered etc. necessarily make a criminal case.

Answers:

- A. No answer given.
- B. Civil cases may be brought by the injured party in any of the four courts of the Capital.

71. Question: If slanderer, etc, as above, is convicted, is he made to bear the plaintiff's expenses in prosecuting him?

Answers:

- A. In cases of that sort, no expenses fall on the plaintiff, for the Sarkar takes no fees or fines from him, witnesses have no allowance, and vakeels are unknown.

- B. In cases of this sort, nothing falls to be paid to the Government in the shape of tax, and (as before noted) there are no expenses for witnesses or vakeels. Some small matter in the way of perquisites of the Mahanias is all the cost incurred in such cases.

72. Question: What is the jail delivery at Dasahara? Are not offenders tried and punished at the time of offence? Since the courts always sit and are competent to hear all cases, how can multitudes of offenders be collected at the Dasahara?

Answers:

- A. The jail delivery is a mere removal of prisoners from out of the City into an adjacent village in order that the City may be fully lustrated and purified at that season. The usage has no special reference to judicial matters. But about that time, those offenders who ought to be heard and dismissed or executed are so heard and dealt with.
- B. The City jail must be emptied and purified at the Dasahara. Therefore, at the festival, as many prisoners as have had sentence passed on them are transferred to receive punishment. The rest of the prisoners, whose cases have not been heard or who are confined as a punishment, are carried to a neighboring village, where they remain till the festival is over and are then re-conducted to the jail in the City.
- C. When the day of Sraddha begins, the list or calendar of all the convicts in jail is sent to the Maharaja. The Maharaja commands that the Dittha see punishment inflicted on each according to law and usage. The Dittha assigns the punishment of each accordingly in the Inta Chapli (and the assignment of punishment can be made in no other court). When the punishment has been awarded, the Dittha commits the convicts for execution of sentence to the Araz-begi, who takes them to the Bishnumati and there all except Brahmans are capitally executed or maimed in limbs according to their offences. Brahmans cannot be killed or maimed. Their heads are shaved, they are degraded and defiled and expelled into the Plains or Bhote. Such prisoners as are under confinement as a punishment and those who have not been tried and, in a word, all that cannot be disposed of at this period are sent to Handi Gaon.

Whenever fifteen or twenty convicts condemned to lose life or limb are collected in the jail, it is delivered, as above related. The delivery is not restricted to the Dasahara. Nor is it complete as to all the prisoners. There are many sentenced for twenty years or less and are confined in the jail for that period. But such as are sentenced to lose life or limb, and such as having committed small offences may be considered to have expiated them by imprisonment about the period of Dasahara, are all dealt with at that season.

73. Question: Is the jail delivered by the Dittha's court or by the Bharadar Sabha?

Answers:

- A. When the Dasahara approaches, the Dittha takes to the Bharadar Sabha the criminal calendar of those whose offences have been tried and states the crime of each, the evidence, and the punishment he conceives applicable. The Bharadars, according to their judgement upon the Dittha's report, set down the punishment to be inflicted on each offender, and return this list to the Dittha. The Dittha makes it over to the Araz-begi, or sheriff, and the Araz-begi sees execution done accordingly, through the medium of the Mahanaikiahhs.
- B. The Dittha's court conducts the investigation in every case to a conclusion and confession of guilt. At certain periods the Dittha takes the aggregate of the deeds of confession obtained in his court, with a report on each case, to the Maharaja. The Maharaja refers the Dittha to the Bharadar Sabha. To the Bharadar Sabha the Dittha explains his criminal calendar, produces the confession obtained in each case, and gives a summary of the proceeding had in it, and of the evidence adduced. The Bharadars deliberate on the Dittha's report and in concert with him assign the punishment to be inflicted on each offender. The Maharaja ratifies as a matter of form this allotment of punishments by the Bharadars' Council, and then the sentence is inflicted by the proper officers.

74. Question: What are the "Panch Khat", and are they investigated in the Dittha's court or the Council of Bhardars?

Answers:

- A. No answer given.
- B. The Five "Khat" are 1st poisoning, 2nd murder in any other way, 3rd. incest, 4th. infanticide, 5th. cow killing. The investigation of them belongs to the Dittha in the Inta Chapli. The allotment of the punishment to follow upon conviction of them belongs to the Council of Bharadars.

75. Question: What is the prisoner's daily allowance? What is the system of prison discipline?

Answers:

- A. Each prisoner receives daily a Seer of parched rice and a few Massalahs.
- B. Prisoners of the common class get 1 and 1/2 Annas per day (subsistence). Persons above that class receive, according to their condition, from four Annas to 1 Rupee. The superintendant of the jail is the Araz-begi.

## PART III POLICE

76. Question: What are the preventive establishments in the cities of Nepal?

Answers:

A. There is no civil establishment of watchmen, but the military patrol the streets at intervals throughout the night.

B. No answer given.

77. Question: How many watchmen to each ward of the Capital?

Answers:

A. Answered above.

B. There are no civil watchmen, but the military patrol the streets at night.

78. Question: Is the preventive establishment of the Capital subject to the Dittha or to the Bharadar Sabha, or to what other authority?

Answers:

A. No answer given.

B. There is no such establishment.

79. Question: How are city police and watch and ward paid? In land or money? By householders or Government?

Answers:

A. No answer given.

B. Answered above.

80. Question: To whom are night brawls and disturbances in the city reported?

Answers:

A. No answer given.

B. To the Dittha in the Inta Chapli.

81. Question: What are the village establishments of the preventive kind and for purposes of detection and apprehension?

Answers:

A. For each village one Dware, 4 Pradhans, and 4 Naikiahs and from 5 to 10 Mahaniahs.

B. Dwares with a suitable establishment protect the villages.

82. Question: In the villages of Nepal is there any establishment similar to the village economy of the Plains--any Barah Alotaya or Barah Ballotaya?

Answers:

- A. No answer given.
- B. No. There is neither Potet, nor Patwari; nor Mudha, nor Gorait, nor blacksmith, nor carpenter, nor chamar, nor washerman, nor barber, nor potter, nor Kawki, in any village of Nepal.
83. Question: Is the managing zaminder, or are the zamindars collectively, bound to government in cases of theft to produce the thief, recover the stolen property or make up the loss?

Answers:

- A. No, there is no such usage.
- B. There is no such custom.
84. Question: Is the village Malguzar usually a farmer of the revenue or only a managing representative of the community and collector for the government? The principal resident land-holder or a stranger? And how does the fiscal management of a village affect those for police purposes?

Answers:

- A. The Dware and Pradhans above mentioned collect the revenues, and the same persons superintend the police, keep the peace, and punish (with small fines and whipping) trifling breaches of it. The Dware is an official person chiefly, and government's representative. The Pradhans are the most substantial land owners of the village and chiefly represent the community. They act together for purposes of detection and apprehension, the four Pradhans under the Dware.
- B. The Dware and his Amalis are the collectors of the revenue, and they also protect the village.
85. Question: In cases of brawls and violent affrays in a village, to whom does the government look for information?

Answers:

- A. No answer given.
- B. To the Dware and his Amalis.



## THE LAW PART IV

36. Question: How much of the law depends on custom and how much on the Shastras?

## Answers:

- A. Many of the decisions of the courts are founded on Customary Law only. Many also depend on written and sacred canons.
- B. Custom rules many cases. The Dharmashastra many more. The decision of numerous cases depends almost equally on both.
- C. There is no code of laws, no written body of public enactments. If a question turn upon the caste of a Brahman or Rajput, then reference is had to the Raj Guru<sup>22</sup> who consults the Shashtra and enjoins the ceremonies needful for the recovery of the caste (or the punishment) of him who has lost it. If a question before the courts affect a Parbattia, or Newar or Bhotiah, it is referred to the customs established in the time of Jayasthiti Malla Raja<sup>23</sup> for each separate tribe, Dhunga Chuayi being performed as directed by those customs. Since the Gorkhali conquest of Nepal proper, the ordeal by immersion in the Rani Pokhari has become the prevalent mode of settling knotty points.<sup>24</sup>

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22. Raj Dharmadhikar, it should be

23. Jaya Prakash Malla, a Newar Raja or Kathmandu before the Gorkha Conquest. He was styled Thiti or the Establisher from the circumstance of his collecting and methodizing the various customs obligatory upon any class of his subjects. (sic) B.H.H.

24. There is a great difference between the customs of the Plains and Hills. In the former, if the wife of a Brahman and Kshatriya or Vaisya or Sudra go astray with anyone, she is asked by the courts with whom she desires to abide, the husband or the "beloved". If she answers the latter, she has her will and no more is said. Hence Hinduism is destroyed below. The customs are Moslem. And the distinction in castes is lost. Let man or woman commit what offence they will against religion, there is no punishment provided, no expiatory rites are enjoined. First, you have swearing on the Koran, then adduction of witnesses, then condemning to the roads, and all alike, if the condemned be a Brahman or Chamar. Here all the distinctions of caste are religiously preserved in the courts, who punish according to caste, never destroying the life of a Brahman, but only degrading and expatriating him. If a female of a sacred order becomes a jade and the seducer of her be not a Brahman, he is capitally punished. If a female of the soldier tribes be seduced, the husband with his own hand cuts off the nose of the female and expels her from his house. The Brahman or soldier husband, so abused, shall perform purificatory rites and be restored to his purity, notwithstanding his wife's sin. Below the Shastras are things to talk of. Here they are acted on.



87. Question: In general, what sort of cases are governed by the Shastras and what by customary law?

Answers:

- A. Infringements of the law of caste, in any and every way, fall under the Shashtra. Other matters are almost entirely governed by Customary law (Desh Achar).
- B. Infringements of the laws of caste and all cases involving such infringements are, either entirely or insofar as they have a religious complexion, governed by the Shastras. All other matters are ruled by the Desh Achar or the Customary Law of the province of Gorkha.

88. Question: Do the Newars and Parbattiahs follow the same or different laws and Shastras?

Answers:

- A. The customs of the Bauddha portion of the Newars are peculiar to themselves.
- B. In some points there are appropriate usages for each, but in general they acknowledge, and are subject to, the same Dharmashastra.

89. Question: In regard to inheritance, adoption, and wills, do you in Nepal follow the Mitakshara, Dyabhaga, or any other Shashtra of the plains or have you any Shashtra of your own? Or only a customary law?

Answers:

- A. We constantly refer to those books in the decision of such cases.
- B. Whoever would adopt a child must do so with the consent of all his near relations and with the permission of some court of law to which he must proceed and in which he must complete the act. So, if he would alienate any portion of his property, by will, in favor of such adopted child, he must obtain, first of all, the consent of his heirs and perform the act in the presence of a Panchayat. In neither case, therefore, can there be, or, in fact ever is, a dispute and appeal to the courts of law. If anyone in adopting a son and assigning him property at his death has neglected the above prescribed forms, and a dispute therefore arise and resort is had to the courts of justice, such a dispute is settled by calling together several elders of the tribe to which the deceased belonged and taking the judgement of the elders upon the usage of that tribe, such usage governs the court's decree. No man can adopt, or devise, at his own will and pleasure. In regard to inheritance, the custom of each tribe is ascertained by reference to some elders of it, and that custom so ascertained rules the judgement seat in all cases of application to it. Our Shastras are similar to those of the Plains, but resort is never had to these save in cases involving breach of the honors of religion.

90. Question: How do sons divide the inheritance among the Khas tribe? Sons by wives and those by concubines? What of unmarried daughters? Does the widow receive a share? What if the widow have sons or daughters? What if none?

Answers:

- A. Among the Khas, sons by concubines get a third of what constitutes the share of a son by a wife.
- B. If a Khas have a son born in wedlock, that son is his heir. If he have no such son, his brothers and brothers' male descendants are his heirs. His married daughters, or their progeny, never. If he have a virgin daughter, she is entitled to a marriage portion and no more. If he have a son by a concubine and after his death his brothers and their descendants do not conceal the deceased's wealth, but fairly state it to the bastard son and give him a reasonable portion,<sup>25</sup> the bastard son must, in such case, take what they give him. He can get no more in any court. But, if they conceal the deceased's wealth and put off the bastard son with idle tales, assigning him no share whatever, then the bastard son, if he appeal to the courts, shall have all the deceased's property assigned to him, to the total exclusion of the family so attempting to defraud him. In short, the son by a concubine must have a reasonable share allotted to him by the family, though the exact amount will rest with the family.
91. Question: Can a Khas adopt a son and make him his heir, though not of his blood, if he have near blood relations?

Answers:

- A. No, they must choose for adoption the child of some one of their nearest relatives.
- B. He cannot. His first choice lays among his brother's sons and nearest relations in the male line. His next, among his daughter's sons and their male progeny. A stranger he can never adopt.
92. Question: Are wills in force among the Khas? And how much of ancestral and of acquired property can a Khas alienate by will from his sons or daughters?

Answers:

- A. If a Khas has a son he cannot alienate a Rupee from him by will, save only, and in moderation, to pious uses.

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25. Hodgson supplies a marginal note here, but the ink is badly faded, and it is illegible.

- B. If he have a son, he can devise nothing away from him, neither ancestral nor acquired wealth.
- C. If a Parbattiahs marry two wives and have two children by one and four by another; then the youngest child shall first of all choose some trifle it may take a fancy to. Next, the property shall be divided on a principle of equality, but still with some advantage to the eldest son. Such is what prevails if the father have taken no measures before his death to ensure each of his children getting a proper share. But if he have taken such precaution, his arrangement in life will prevail after death.

93. Question: Do the Gurungs differ from the Khas in regard to inheritance, adoption, and wills?

Answers:

A. In general they agree closely.

B. No, they do not.

94. Question: Do the Magars differ from the Khas?

Answers:

A. In general they agree closely.

B. No.

95. Question: How is it with respect to the Murmu tribe?

Answers:

A. Answered above. In regard to inheritance, all tribes agree

B. The same.

96. Question: How with respect to the Kiranti tribe?

Answers:

A. Answered above. In regard to inheritance, all tribes agree

B. The same as with the Khas.

97. Question: How with the Newars, Shiva Margi and Baudha Margi?

Answers:

A. The Shiva Margi agree mostly with the Parbattiahs on all three heads. The Baudha Margi have some rules of their own.

B. Amongst the Newars, of both persuasions, the son by a concubine gets  $\frac{1}{6}$  of the share received by a son born in wedlock. In other respects the Newars agree with the Parbattiahs.

C. The two sects follow the same rules, which are in some degree peculiar to themselves. Some of the Newar rules of inheritance are as follows: If the deceased had four

sons, the youngest shall first of all choose out of his personal property any one article he fancies and then an adequate division between all four shall take place. A bastard son shall have one-sixth of what is the portion of a son born in wedlock. If the deceased had no son, but only a daughter, he may leave to her his property by will, but if he make no will then the property shall escheat to the Raja, the daughter not being capable of taking by inheritance.

98. Question: Are the customs of the several above named tribes in regard to inheritance, adoption, and wills, collected and preserved in writing? If not, how are they ascertained with the requisite facility in cases of dispute before the courts?

Answers:

- A. The customary law on those heads is reduced to writing and the book containing it is studied by the Bicharis and others whom it concerns.
- B. When cases of dispute on these topics are brought into court, the Judge calls for the sentiments of a few of the most respectable elders of the tribe to which the litigants belong, and follows their statement of the custom for the tribe.
- C. They are not reduced to writing: nor are the Dittas or Bicharis regularly educated to Law. A Dittha or Bichari has nothing to do with the courts till he receives from government the Turban of investiture but that is never conferred save on persons conversant with the customs of the country and the usage of its various tribes. That general conversancy with such matters, aided by the opinions of elders in any particular cases of difficulty, is his sole stay on the judgement seat, except that the previous Dittha or Bichari, when removed by rotation<sup>26</sup> or otherwise, cannot retire till he has informed his successor of the state of the court and the general routine of procedures.
99. Question: Are the Bicharis regularly educated to the law?
- Answers:
- A. Those who understand Dharma and Adharma, who are well-educated, and practised in law affairs alone are made Bicharis.
- B. Those who are well educated, of high character, and practically acquainted with the law are alone made Bicharis. It is not indispensable that they should have read the law shastras, though if they have, so much the better.

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26. Even the judgement seat is often, though not usually, subject to that system of annual rotation which governs the universal tenure of office in Nepal. B.H.H.

100. Question: The Dittha is not often a professed lawyer, yet is he not president of the Supreme court? How is that?

Answers:

- A. Whether the Dittha has read the Nyaya Shastras or not, he must understand Nyaya (justice-law) and be a man of high respectability.
- B. It is in respect to the selection of a Dittha as in that of a Bichari.

101. Question: Are there separate Bicharis for the investigation of the civil cases of Newars and of Parbattiahs?

Answers:

- A. There are not.
- B. No.

102. Question: In the Dittha's court, if the Dittha is the judge and investigator and decider, what is the function of the Bicharis?

Answers:

- A. The investigation is the joint work of the Dittha and Bicharis.
- B. In the investigation both act together. The decree proceeds from the Dittha.

103. Question: In the courts where there is no Dittha, are the Bicharis in place of the Dittha?

Answers:

- A. No answer given.
- B. Answered above. Endless cases come before the courts. What mortal could dispose of them all? For this reason, the Dittha has the aid of Bicharis.

104. Question: Among both Newars and Parbattiahs, may not the creditor seize and confine in his own hands the debtor and beat and abuse him also? To what extent may he do this?

Answers:

- A. The creditor may attach duns to the debtor to follow and dun him wherever he goes. The creditor may also stop the debtor wherever he finds him and take him home and confine, beat and abuse him, as long as he does him no serious injury in health or limbs.
- B. The creditor may seize him, confine him in his own house place him under the spout that discharges the filthy wash of the house, and such like. He has no further power over him.



105. Question: Is Dharma in use in Nepal?

Answers:

A. It is.

B. It is.

106. Question: Required, a contrasted catalogue of the principal crimes and their punishments.

Answers:

A. Destruction of human life, with or without malice, and in whatever way, must be atoned for by loss of life. Killing a cow is another capital crime. Incest is a third. Deflowering a female of the sacred tribe subjects a man of any lower caste to capital punishment and confiscation of all his property. Robbery is a capital crime. Burglary is punished by cutting off the burglar's hands.

B. Murder  
Hot blood, killing  
in affray

Death and confiscation

The principle is hanged, the accessories before the fact, severely fined

Killing by pure  
accident

Long imprisonment and  
fining, besides undergoing  
PRAYASCHITTA.

Theft and petty  
burglary

1st offence, one hand  
cut off

2nd offence, other hand  
cut off

3rd offence, capital

Petty theft

whipping, fining and  
imprisoning to a small  
extent

Treason and petty  
treason

death and confiscation

Incest and unnatural  
crimes

death

Women and Brahmans are never done to death, but degraded in every possible way and then expelled the country.

107. Question: If a Newar wife commit adultery, does she forfeit her Stridhan? If she divorce herself from mere caprice, does she forfeit it? If her husband put her off from mere caprice, does she lose her Stridhan?



## Answers:

- A. If a Newar husband divorces himself from his wife, the wife carries away with her her Stridhan. If a Newar wife divorces herself from her husband, then also she may carry off with her her own property or portion. Adultery the Newars heed not.
- B. In all three cases the woman of the Newar tribe shall carry away with her her Stridhan. Among the Parbattiahs, if the wife commits adultery she loses all and gets her nose cut off. There are no capricious divorces among the Parbattiahs.

108. Question: Among the Parbattiahs, when the injured husband discovers the fact, must he inform the courts or the Sarkar before he cut down the adulterer, or after? And must he afterwards prove the adultery in court? What if he fails in the proof?

## Answers:

- A. When a Parbattiah has satisfied himself of the adultery and identifies the male adulterer, he may kill him before giving any information to the courts or to the Sarkar. Afterwards he must prove the adultery. Should he fail in the proof, he will be hanged.
- B. He may kill the adulterer without any information previously given to the courts or the government. But if anyone afterward complain or there be any reason to suspect that there was no adultery in the case, and it prove to be so on investigation, life shall be the forfeit of life.

109. Question: Are such cases investigated in the courts of law or in the Bharadar Sabha?

## Answers:

- A. The investigation is taken in the Dittha's court, but when complete, the Dittha refers it to the Bharadar Sabha for directions or a final decree.
- B. In the courts of law.

(sd) B.H. Hodgson

Valley of Nepal  
Kathmandu Residency

Answer Series A and B: 25 November 1830  
Answer Series C: 30 January 1831

## Additional Queries and Their Answers by Respondent "B"

1. Question: The Hill districts are divided, for judicial purposes, into eight divisions. What is the vernacular name of each division?

Eight is the extreme number of mountain Bicharis. But the complement is not always full. Sometimes there are only four. Sometimes six. And more rarely eight. Never more. Nor are there any precisely defined territorial limits for these Bicharis. But, assuming the Valley as a Center, the interior is divided for judicial purposes, first into the Eastern and Western Divisions, each of which is then subdivided or liable to subdivision. At present:

To the eastward, there is only one large division, which is called, from its boundaries, the division of the Mechi and Dudh Kosi.

To the westward there are two large divisions, the former of which is denominated the division of the Kali and Bheri (and also the Kalipar Division) the latter is called the Division of the Kali and Marsyangdi, and it is also known as the Majh Khand circuit.

2. Question: At what place in his division does each Hill Bichari hold his court?

Two Bicharis, acting together, preside over each of the greater divisions above described. Their courts are frequently ambulatory. But there are fixed judicial residences for them.

In the great Eastern Division, there are two: one at Majh Kirat, the other at Chainpur.

To the westward there are four: two for the Kalipar arrondissement, at Baglung-Chowr and at Beni, and two, for the Majh Khand, at Pokhara and Tarku.

3. Question: For the divisions of Morang, Saptari-Mahottari, and Bara, are there three or one Subha? How many Subhas are there for the Doti and Sallyan Tarai, and for the Palpa Tarai?

Morang: one Subha and two Faujdars.

Saptari-Mahottari: one Subha and two Faujdars.

Bara-Parsa: one Subha and two Faujdars.

Rautahat: one Subha and one Faujdar.

Chitwan-Belvan: one Subha and one Faujdar.

Butwal: one Subha and one Faujdar.

The Doti Tarai: one Faujdar.

Sallyan: one Faujdar.

Each of the above divisions is independent of the rest.

4. Question: Explain the functions of each of the following officers attached to the Inta Chapli of Kathmandu:

Mahaniah	Tol Pradhan
Mahanaikiah	Kumhal Naikiah
Tolmul	Tahavildar
Chowki Mahaniah	Khardar
Kotwal	Bahidar
Kotwal Naikiah	

The Mahanaikiah is the superintendant of the Mahaniahs. The Mahaniahs apprehend and arrest, and execute almost all processes in civil and criminal cases. The Mahanaikiah is always in attendance. The Mahaniahs attend by turns. The Mahaniahs do not perform watch and ward. That duty belongs to the military. But in case of disturbance actually commenced, or hue and cry being raised of theft or other crime committed or attempted, the Mahaniahs apprehend the offenders.

There is a Tolmul to each Tol or ward of the city. If the presence of any person is needed in court, the Tolmul's business is to identify the person and point out his residence to the Mahaniahs, whose duty it is to secure him.

The Chowki Mahaniah are the guards of the jail.

The Kotwals, under their Naikiah, perform various kinds of menial services for the Dittas and Bicharis during their sitting in court. There are 16 Kotwals, who attend by turns, four at a time.

The Tol Pradhan is not a judicial functionary. His duty is to levy the fixed tax of one and a half Rupees upon each Newar merchant returning from Tibet.

The Tahavildar has charge of all monies paid into the court, on whatever ground.

The Bahidar keeps the accounts of all such monies.

The Khardar writes the Kail-namehs and Rajinamahs in each case.

The Kumhal Naikiah is head of the craft of potters. Each craft has a head, but none has any special connection with the court.

5. Question: Are not so many Mahaniahs, under a Mahanaikiah, assigned to each ward of the city, to prevent crimes, keep the peace, and detect and apprehend criminals?

The Mahaniahs, as already explained, have no preventive functions. The night watch of the city belongs to the soldiery, who go their rounds at stated times. If they apprehend any persons in their rounds, they keep them till morning in the guardroom and in the morning deliver them to the Mahaniahs. The Mahaniahs produce them in court, where their affairs are summarily heard, and they are released or committed to prison, as may be.

6. Question: Who are the watchmen of the villages?

The police for each village consists of one Dware, 4 Pradhans, and several Mahaniahs (according to the size of the village).

7. Question: Who is the Gram Adhikari, and who is the Gram Lekhak? Who collects the Ryots' share of the revenue and makes the revenue agreement with the government? And who keeps the fiscal and other accounts of the village?

The head villager is called, in the Hills, the Gaun Mukhiya; in the Tarai, the Jetha Ryot. The village writer is denominated the Gaun Lekhak. The Mukhiya is the people's representative, the Dware, the government's or its assignee's, both in revenue and in justice. The Dware is the responsible person, but he acts with the assistance and advice of the Mukhiya.

8. Question: Who settles village disputes?

The Dware, assisted by the Mukhiya or Pradhan Praja. Matters exceeding their capacity are referred by them to the courts.

9. Question: Who are the Jetha Ryot and the Pradhan Praja?

The principal inhabitant of each village is called, in the Tarai, the Jetha Ryot; in the Hills, the Parbattiahs call him Mukhiya; the Newars, Naikiah and Pradhan Praja. The Ryots are called Prajas in the Hills, both by Parbattiahs and Newars. The principal Praja is the Mukhiya or Naikiah. There is no regularly recognized scribe.

10. Question: What is the nature and extent of the judicial functions of the Dware? Over how many villages does one Dware preside?

The Dware is the principal source of justice in the villages. His cognizance extends over all cases not included in the Panch Khat nor touching life or limb or the substance of a man's property. He cannot condemn, maim, mutilate, or confiscate. He can imprison and punish with the Korah and fine. The extent of his jurisdiction is not fixed. Sometimes he presides over several villages. Sometimes over only one, if it is a large village.

(To be continued)

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Reconfirmation of Umras in the Hill Region, A.D. 1781

On Thursday, Shrawan Sudi 13, 1838 (July 1781) Umras in several parts of the hill region were reconfirmed in their posts. A fee (bhet) was collected from them in consideration of such reconfirmation. The fee was assessed on the basis of the area of rice-lands assigned to them.

Particulars of Umras in the region situated east of Sindhu and west of the Sunkosi river, the area of rice-lands held by them and the amount of fee assessed thereon, are given below:-

<u>Description</u>	<u>Ricelands</u> (in muris)	<u>Amount of Fee</u> (Rs/annas)
1. Bangya Basnyat, Timal.	1,500	Rs 27-8
2. Khasa, Sungnam, and Tinpatan, under the jurisdiction of Dalamardan Shah	"	Rs 200
3. Preghavarna Adhikari, Sangakot	1,100	Rs 33
4. Bhikham Karki, Buchekot	1,600	Rs 16
5. Bhimsen Gharti, Kabhre	1,600	Rs 16
6. Birabhadra Rai, Mandan	2,600	Rs 65
7. Rupa Singh Raut, Mahadevpokhari	500	Rs 12
8. Hridaya Adhikari, Jarayotar-Baguwa	2,000	Rs 50
9. Jodhan Bhandari, Mahankal	1,100	Rs 16-8
10. Shyam Adhikari, Palchok	1,400	Rs 21
11. Bunde Adhikari, Jyamire	900	Rs 13-8
12. Prabhu Adhikari, Thangpal	1,100	Rs 16-8

13. Dalapate Adhikari, Bhrle	1,200	Rs 18
14. Paran Adhikari, Namlang	900	Rs 22-8
15. Kaviraj Khadka, Lagarche	700	Rs 21
16. Ramakrishna Khatri, Dhuma	400	Rs 8
17. Juthe Thapa's son, Sirwari	1,000	Rs 25

Regmi Research Collection, Vol. 36, PP. 500-1

Similar orders were issued in the same date for the following regions also:-

- (1) Tamakoshi ... Dudhkosi
- (2) Sunkosi ... Tamakosi
- (3) Deurali ... Gajuri
- (4) Sindhu ... Trishuli
- (5) Daraundi ... Marsyangdi
- (6) Gandi ... Daraundi
- (7) Trishuli ... ~~Gandi~~
- (8) Chitlang, Tistung, and Palung

Regmi Research Collection, Vol. 36, P. 502.

#### In Kaski

The following royal order was issued in the name of Manasaram Gurung of Khilang on Aswin Badi 9, 1850 (September 1793).

"During the reign of the former Kings of Kaski, you were Umra of Sikles, Thek, and Selang. After our conquest of those areas, Lal Gurung obtained a royal order appointing him Umra of Sikles separately. Whatever may have happened in the past, we, hereby reinstate you in your previous position. We also reconfirm your rights to the newly-reclaimed lands which have been wrongfully occupied by Parchya from Sikles."



The royal order required Mansaram Gurung to make payments (Kachho-sirto) amounting to Rs 12 every year. The breakdown of those payments is as follows:-

1. For the month of Chaitra	Rs 1
2. <u>Hile</u>	Rs 1
3. <u>Ghalo</u>	Rs 1
4. <u>Tithe</u>	Rs 1
5. <u>Ghum</u>	Rs 1
6. For the Dashain festival	Rs 1
7. For the Nwagi festival	Rs 1
8. For the month of Kartik	Rs 2-8
9. For the month of Magh	Rs 2-8
Total	Rs 12

Regmi Research Collection, Vol. 36, PP. 34-35.

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### Jhara Services for the Nepal-Britain War

#### • Monday, Shrawan Badi 3, 1872

The Rai and Majhiya inhabitants of Sungaun, Chanuwag, Simbhugaun, Malingaun, and Tamekhugaun villages of Chainpur in the far-eastern hill region were ordered to transport charcoal to munitions factories in Vijayapur and Dhankuta. They were granted exemption from forced labor services (Jhara, beth, begar) for other purposes, as well as a 50 percent concession in the Saunefagu tax.

Regmi Research Collection,  
Vol. 42, p. 34.

#### Sunday, Bhadra Badi 8, 1872

Royal orders to twenty-one areas, including Tanahu, directing their inhabitants to join Colonel Ujir Simha Thapa immediately after the beginning of the month of Kartik along with their weapons, or else with axes and hoes, and sufficient

provisions for six months, in fulfillment of their Jhara obligations. The orders added, "We shall grant rewards and honors to those who have worked for our cause. Any person who does not provide Jhara services as ordered by us shall be severely punished."

Regmi Research Collection.  
Vol. 42, pp. 57-58.

Tuesday, Bhadra Sudi 9, 1872

Identical royal orders were issued to the inhabitants of 121 areas in the eastern and western hills adjoining Kathmandu vally.

Regmi Research Collection, Vol. 42, pp 62-66.

Monday, Aswin Badi 30, 1872

Amalis in the region between the Dudhkosi and Tista rivers were ordered to provide portorage services throug the areas under their Jurisdiction for the transportation of iron and copper supplied to munitions factories at Vijayapur and Dhankuta.

Regmi Research Collection, Vol. 42, p. 73.

Sunday, Kartik Badi 4, 1872

A royal order was issued in the name of the inhabitants of Tilpur to reach Makwanpur immediately after the begining of the month of Kartik, along with swords, shields, bows, arrows, and muskets, or else with axes and hoes, as well as provisions for six months, in fulfillment of their Jhara obligations, and do the work allotted to them by the Bhardars. The order added: We shall grant rewards and honors to those who have worked for our cause. Any person who does not provide Jhara services as ordered by us shall be severely punished.

Regmi Research collection, Vol. 42, pp. 96-97

Sunday, Kartik Badi 4, 1872

Mateng, a trader of Nakabahil in Patan, was ordered to proceed to Makwanpur and set up a shop for the supply of goods to the army within a radius of five days' journey. He was granted exemption from forced labor (Jhara, beth, begar) for other purposes.

Regmi Research Collection, Vol. 42, p. 98.

Friday, Kartik Sudi 9, 1872

Royal order to Newar traders as well as to shopkeepers in the customs area (bhansar) in Bandipur, Mahibol, Dordor, Abu, and Ghogring. "So far you have been engaging in trade in the customs-area as well as in your own homes. This year, the Srinath Kampu will be stationed at Kabilas. You are, therefore, ordered to set up shops for the sale of foodgrains and other provisions in adequate quantities at Gaighat or Deopatan according to your convenience. No one will be allowed to harass any trader who does so. We hereby grant you exemption from forced-labor (Jhara, begar) obligations imposed on your households as well from Jagat duties on goods supplied to the army, so long as it is stationed there. Any trader who does not set up a shop for the benefit of the troops will be severely punished."

Regmi Research Collection, Vol. 42, p. 120.

Tuesday, Marga Badi 12, 1872

Royal order to the inhabitants of Sindhuli and Salu: "We had previously ordered you to proceed to Makwanpur along with swords, shields, bows, arrows, muskets, and other weapons, as well as provisions sufficient for six months, in fulfillment of your Jhara obligations. You need not do so now. Instead, assemble at Sindhuli and do the work allotted to you. We shall grant rewards and honors to those who work hard for our cause. Any person who does not provide Jhara services as ordered by us shall be severely punished."

Regmi Research Collection, Vol. 42, p. 133.

Sunday, Marga Sudi 3, 1872

A royal order was issued in the name of the inhabitants of Ghyalchok, with the exception of Upadhyaya Brahmans, to reach Makwanpur on the fifth day of the month of Poush along with swords, shields, bows, arrows, and muskets, or else axes and hoes, as well as provisions sufficient for six months, in fulfillment of their Jhara obligations, and do the work allotted to them by Kaji Narasimha Thapa. The order added, "We shall grant rewards and honors to those who work hard for our cause. Upadhyaya Brahmans of that areas shall remain at home and daily recite the Vedas, the Rudri, and the Chandi praying for our victory. Any person who does not provide Jhara services as ordered by us shall be severely punished."

Regmi Research Collection, Vol. 42, pp. 135-36.

Thursday, Marga Sudi 13, 1872

All inhabitants of Jumla and Jajarkot, with the exception of Upadhyaya Brahmans, were ordered to provide Jhara labor for the construction of a fort in Jumla under Sardar Vamshiraj Khatri. They were strictly forbidden to leave the work without permission.

Regmi Research Collection, Vol. 42, p. 151.

Thursday, Marga Sudi 13, 1872

The inhabitants of the Charange-Dumja region, including Tirai, Katunje, Raghuchaur, Mangalchaur, Bhimkhori, and Semalchaur, were ordered to provide Jhara labor for the construction of temporary or permanent Sanghu (wooden bridges) on the Rosikhola river in their respective areas.

Regmi Research Collection, vol. 42, p. 151.

Saturday, Marga Sudi 15, 1872

Royal order to the blacksmiths (nakarmi) of Kathmandu, Patan, and Bhadgaun towns, as well as Sankhu, Thimi, Ainselu, Naulpur, and other villages in Kathmandu valley and the hills. "You are hereby ordered to provide Jhara services at the munitions factory (in Kathmandu) and operate two forges there everyday by rotation. You must also proceed to forts at different places and do the work allotted to you. So long as you do so, you shall be exempt from the Saunefagu and other taxes, as well as from Jhara obligations for other purposes."

Regmi Research Collection, vol. 42, pp. 152-53.

Saturday, Marga Sudi 15, 1872

Royal order to the inhabitants of Aginchok and Salyan (in Dhading). "You have been constructing a suspension bridge of cane on the Gandi river. Subedar Jasram Khatri is now constructing an iron bridge on that river. All those who have been customarily engaged in this work are hereby ordered to provide Jhara labor in the construction of the iron bridge. No additional Jhara services shall be exacted from you for other purposes."

Regmi Research Collection, vol. 42, p. 153.

Wednesday, Magh Badi 10, 1872

The inhabitants of Hatuwa in the Majhkirat region, who cultivated Jagir lands assigned to the Srinath Kampu, had been concurrently ordered to provide portorage services for the transportation of charcoal to the Vijayapur Munitions Factory. This obligation prevented them from paying rents on their Jagir land allotments and was, therefore, remitted.

Regmi Research Collection, vol. 42, p. 189.

Sunday, Falgun Badi 13, 1872

Royal order to the inhabitants of Dhagibung, Panjokot, Syurung, Dhagai, Tarapu, Panchthar, and other areas: "In former times also, one person from each house-hold used to proceed to the front with tools and supplies connected with his work when the country was attacked by enemies. Such a situation has arisen now. This is the time when each subject should do whatever work he can. It is, in fact, his duty to do so.

Accordingly, Brahmans shall (The words are incomprehensible: "badhuna gairha pani milaunya"): People belonging to weapon-bearing castes shall take with them muskets, swords, bows, and other weapons; Damais, musical instruments (turahi, Karneli, narsinga); Lohars (ironsmiths), hammers and other tools (lihi, hotra, sadasa); and Sarkis (leather workers), bag, ara, etc. Every household shall also send one man each to the front in fulfillment of Jhara obligations. Such Jhara workers shall be paid living expenses (petiya-Kharcha) so long as the war continues, and, thereafter, rewards and Jagirs according to his work. Any person who does not work according to this order shall be punished."

Regmi Research Collection, vol. 42, pp. 218-19.

Sunday, Falgun Badi 13, 1872

Identical orders were sent on the same date to the inhabitants of Dasthar, Barhathar (Lamjung), and other areas.

Sunday, Falgun Badi 13, 1872

Royal order to the Dwares and Pradhans of Chitlang, Tistung, and Palung: "You need provide portorage services for the supply of charcoal so long as you are employed in the construction of barricades at Deurali on the Bhainsekhani route as well as on the Kuwapani route. The inhabitants of Chitlang shall provide hulak services in outposts previously manned by those from Tistung and Palung. The inhabitants of Tistung and Palung shall provide Jhara services for the construction of barricades at Deurali and Kuwapani respectively. After these barricades are completed, they shall resume their hulak duties, as well as portorage services for the transportation of charcoal, as usual."

Regmi Research Collection, vol. 42, pp. 217-18.



Wednesday, Falgun Badi 30, 1872

The Newar traders of several villages (Gajuri, Finda, Kiranchok, Phujel, Tanglichok, Kurhin, Nasi, Khari, Maidi, Dhading, Darbu, Makaising, Dahyagaunda, Dasthar, Richok and Janagaun) were ordered to shift their shops to Kandrang-Gadhi for the supply of provisions to the army. Other people in those villages were ordered to transport rice, pulses, etc. and supply them to the traders at Kandrang-Gadhi at current prices.

Regmi Research Collection, vol. 42, p. 221.

Thursday, Falgun Sudi 1, 1872

A royal order was issued to people belonging to arms-bearing castes and communities in Kaski, such as Rajput, Khas, Magar, Gurung, and Lama, other than those who had been deputed to Palpa or to the front, to reach Kathmandu within ten or twelve days along with their men and weapons. The order added, "Come here quickly, so that you may take your meals there and clean your mouths here. We shall sanction suitable emoluments and perquisites according to your work and status. Anyone who does not obey this order shall be considered guilty."

Regmi Research Collection, vol. 42, p. 222.

Thursday, Falgun Sudi 1, 1872

Royal order to the Dwares and Pradhans of Chitlang, Tistung, and Palung: "We had previously issued orders impressing your Jhara services for the construction of barricades (aad) on the Kuwapani ridge along the Bhainsekhani route. Chautara Pushkar Shah has now reported that it is necessary to construct barricades in the Amritpani area also. Accordingly, you are hereby ordered to send half of your men to the Bhainsekhani-Kuwapani area, while the other half should construct barricades at the place chosen by Chautara Pushkar Shah."

Regmi Research Collection, vol. 42, pp. 221-22.

Friday, Falgun Sudi 2, 1872

Royal order to the inhabitants of Terhathar and other areas east of the Tamor river: "You are hereby ordered to proceed to Nagari fort along with your weapons, axes, and hoes, as well as provisions sufficient for six months, and provide Jhara labor for guarding the fort under the orders of the Subba and the Subedar who have been stationed there."



In case there is any time, provide portorage services for the transportation of food and other supplies from the Terai to the Nagari fort. Otherwise, slash and burn areas selected by the Subba and the Subedar, on which each household shall sow one pathi of maize, millets (Kodo, Chinu, Kagunu), buck wheat, paddy, and wheat. The crops shall then be harvested and the grains taken to the Subba, the Subedar for maintaining reserves. Any person who disobeys this order on any pretext shall be severely punished."

Regmi Research Collection, vol. 42, p. 222.

Saturday, Falgun Sudi 3, 1872

Royal order to traders and other inhabitants (praja) of Ghyalchok: "It has become necessary to supply provisions at Kandrang-Gadhi. We, therefore, exempt you from Jhara obligations for other purposes. All Newars of that area are hereby ordered to proceed to Kandrang-Gadhi and open shops there. Other inhabitants are ordered to transport rice, pulses, and other commodities and supply them to traders and military personnel there at current prices.

Regmi Research Collection, vol. 42, p. 223.

Saturday, Falgun Badi 12, 1872

Royal order to the amais, dwares, and jethabudhas of Liglig, Harmi, Lakang, Bhirkot, Chyangli, Sirhanchok, Dhunwakot, and Salyan. "Impress Jhara labor from all inhabitants of the areas under your jurisdiction, with the exception of Upadhyaya Brahmans for the transportation of all available muskets, bows and arrows, and other weapons available there to the area around Kophang where captain Sarvajit Thapa is encamped. Appoint one dittha for Jhara porters from each thum in that area, transporting such supplies.

Regmi Research Collection, Vol. 42, P. 217.

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