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Regmi Research (Private) Ltd,
Lazimpat, Kathmandu, Nepal.

Political Developments In Nepal,1947¹

An important statement was made by H.H. the Prime Minister at his Bishalnagar Palace today. Courtiers as well as college students were assembled at the palace to hear the statement. The unprecedentedly important speech had evidently aroused a wave of new zeal in the minds of the people. The speech is as follows:-

Courtiers and Gentlemen,

You are all aware of the measures which we have taken for the welfare of the country and the countrymen from time to time since we took over the reins of administration. You also know that since the day when we shouldered the administration of this country, we have sanctioned a total sum of Rs 752,446.00 (N.C.) and Rs 2,262,400.00 (I.C.) in addition to the amount which is allocated annually for the amelioration of the lot of the countrymen. It is our firm hope and conviction that work in all the departments of education, public works, health, municipality, printing, etc. will be better than now, after arrangements have been made to utilize these amounts in an efficient way.

On November 29, 1946, I had promised to disclose the plans which I have in my mind for the welfare of our country. After inviting you all in a gathering here on February 13, 1947, I had also announced that I was going to consult my brothers and other relatives and courtiers on introducing political reforms and that I would make known my decisions arrived at after these consultations. You all know that in most of the countries of the world today, the subjects are being associated with the Government as far as possible. Considering that it would be greatly helpful to the welfare of the country and the people if similar arrangements were made in this country too, I am going to discuss the same, which I have already indicated to you. The cooperation of all countrymen is required for successfully running such a system of government. For this purpose, it is essential that measures should be taken for propagating education among the people so that they may acquire knowledge about political matters as well as about their duties. Only when this is done will the people be able to cooperate with the government and take part in the development work of the country by properly exercising the rights available to them. I repeat that the main thing required for the purpose is good education. If, with a little learning, we begin to boast

¹Government of Nepal, Shri 3 Maharaj Ko Aitihāsik Bhashan (Historic Speech of His Highness Prime Minister Padma Shamsher) Kathmandu: Gorkhapatra Press, 1947.

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highly as if we are experts in everything, such a little knowledge would become dangerous, instead of proving helpful in the work of development or progress. For instance, when a handful of foolish persons recently attempted to behave in imitation and at the instigation of others, and interfered in matters which they did not know, not understanding even the meaning of the slogans they had raised, a senseless commotion and rumor arose in the country. It is the duty of every patriotic and educated person to maintain by every means goodwill and unity among the people of various classes in the country and thereby strengthen the international position of the country and gain respect for it from foreign nations. But persons thus indulging in rumors have tried to deal a blow at the very independence, the invaluable possession of the country, by fanning discord, enmity and other evil passions among the people within the country. Such acts will not only put obstacles in the real progress in the country, but also result in great loss for the country. You may have understood the fact that no government in the world has ever remained silent over the conspiracy to overthrow the established customs or over attempts to incite the people. We have also to deal, even by means of force, with elements attempting to spread insurrection by means of such accusations and propaganda. This is not only a necessity but also the duty of the government. I need not repeat that it is the obligations and the foremost duty of every civilized government and people not to allow order and tranquillity to be disturbed in the country.

Certain criminals appear to be trying to disturb through unlawful methods the peaceful conditions obtaining in the country. But, assured and convinced as we are of the loyalty and commonsense of our people, we, in keeping with our promise, desire to read out to you the main features of the program of reforming the administration and associating the people to a greater extent than now in the administration of the country, as we have already let you know. You may also have heard the speech which I had made while addressing our military and civil officers at the Tundikhur on May 1, 1947. We shall never lag behind in the matter of the country's welfare. At the same time, we shall not do anything which will prove harmful for the country. I am not saying all this for fear of anybody, or out of pressure of any person, since I am fully conscious of the fact that the administration of the country cannot be run through intimidation or terror. Although I feel that this is not the time when I should make such statement, while agitators are engaged in their nefarious activities, yet, in consideration of the interests of the country, I have decided to disclose to you the program which I have in mind. By the grace of Lord Rama and Lord Pashupati-nath, whom I thank very much for enabling me to speak on this occasion, my program will be ever helpful in the happiness and prosperity of the country and its people.

The impression that people in our country are not enjoying any freedom is quite wrong. As much consideration was necessary before granting all civil rights as prevail in foreign countries to the people, we have made arrangements to invite an expert to advise us on the extent of civic rights which may be granted to the people without in any way causing harm to the country and disturbing the national peace. Even in countries where freedom of the press exists, newspapers are fined or closed. People are arrested and detained for making speeches even in countries where freedom of speech prevails. And not more than five persons are allowed to gather at a place even in countries where freedom of association is granted. As some people here, who are aware of such freedom, seem to have felt confused at such freedom, an expert on this matter has been invited so that they may know their rights and limits. After rules in this regard are drafted after his arrival, I shall inform you of the same at a proper time. But I would like also to point out that some rights which our people enjoy do not perhaps prevail in other countries. For instance, the government or Birta owners cannot deprive peasants of their tenancy rights so long as they pay rent for the lands cultivated by them and they may even dispose off, or mortgage, their tenancy rights.

The Reform Committee formed by us has started its work since April 29, 1947 and is now drafting regulations on political and other matters. It is our view that work should be done after establishing an Assembly of elected and government-nominated members. Discussions are at present taking place on the powers and procedures of this Assembly, the number of its members and the people who will elect them. In India, a period of ten years was allowed for making all these arrangements and the reform program is being drafted at present. But the advice of the above-mentioned expert will also be available to us in the matter of extending additional powers within 3 to 5 years and prescribing other powers from time to time.

We shall grant local autonomy after the establishment of elected municipalities and district boards in Kathmandu Valley and in various districts in the country. The powers to be invested in these local bodies and their limits in these matters, their sources of income, etc. shall be determined by the Reform Committee.

Arrangements shall be made to set up a separate and independent judiciary.

I have time and again drawn your attention to the importance of education. I am happy to note that all people, taking interest in education are opening schools one by one, as is evident from the opening, with governmental permission, of 7 schools in Kathmandu Valley from the new session. The government alone cannot do everything. It has opened schools and colleges to the best of its capacity and has extended and will extend assistance to the people who have opened them. Girl schools too shall be opened, but they must be run in such a way that the modesty and good character of Nepali women are not affected.

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I hear some people alleging that life and property in Nepal are insecure. But there are few countries where life and property had remained so secure as in Nepal during the last century. However, if anything is required to be done in keeping with the circumstances in this matter, we shall do that.

Emigrant Nepalīs are as dear to us as the people here. We are highly distressed to learn that many of our brethren living in India are passing through distress and worries on account of the disturbances now occurring there. We have therefore entered into necessary correspondence with the Indian Government with a view to providing all possible help from this country for relieving their difficulties. As such measures alone have not proved adequate for coping with the situation, we shall soon make efforts to post consuls wherever required in India and make other arrangements to look after the welfare of our Nepali brothers there.

Although there is a policy to the effect that the financial position of the government must not be disclosed to anybody, as otherwise neighbors will show disrespect to it, yet in the future an account of the annual income and expenditure shall be published, lest you should bear any misunderstanding as to the real income and expenditure of the country.

It is our firm desire as well as that of our brothers and sons, that the people of this holy land, Nepal, should be prosperous and educated and be able to participate fully in the administration of this country. This noble objective cannot be achieved immediately. Nonetheless it is our conviction that if we all, by the grace of God, cooperate in this task, being inspired by patriotism, it would not take a long time to achieve this objective. May God grant you wisdom and common sense. It is our heartfelt hope and wish that you will be able to work for the happiness and prosperity of the country and the people while maintaining the mutual goodwill and good conduct traditionally existing in the country, by properly utilizing this opportunity given by the government. May God do good to you.

What I mean is that the people should be happy, healthy, prosperous and for ever be free from troubles.

May God Pashupatinath fulfill this plan, which may take six months or even a year to turn into reality. I hope that you will properly understand all that I have said just now.

Prime Minister Mohan Shamsker's Speech.²

On Poush 24, 2007 (January 24, 1950), Prime Minister Mohan Shamsker made the following announcement:-

²Grishma Bahadur Devkota, Nepal Ko Rajnitik Darpan (Political Mirror of Nepal). Kathmandu: Keshav Chandra Gautam, 1960. 39-43 Pp.

It is 104 years since Prime Minister Jung Bahadur took up the reins of the administration of this country on the orders of the then King, courtiers and people. The circumstances in which this change occurred are recorded in history. I only want to remind you that the country had been formed with internal conflict, disorder and anarchy at that time because of maladministration. Peace and stability were restored quickly in the country, thanks to the emergence of Prime Minister Jung Bahadur.

Even ignoring other notable events that occurred during the last century, it can be said without any fear of contradiction that Prime Minister Jung Bahadur and his successors not only maintained but further strengthened the independence of the country, which is its priceless treasure. They also conferred the benefits of security, progress and a stable government on the country. These are essential for the happiness and prosperity of all communities.

Even then, in order that Nepal may make efforts to keep pace with the changing times, and since it is our objective that the people should be enabled to participate in still greater measure in the administration of the country, the Government of Nepal Constitutional Reforms Act was promulgated on April 13, 1948.

Enforcement of the provisions of this Act commenced on April 14, 1948. So far nearly 200 Panchayats, at both Village and District levels, have been formed throughout the country. Formalities had not been completed for establishing the Central Parliament. But it was established on September 22, 1948. Many administrative Committees were formed at the first session of the Parliament.

The difficult task of laying the foundations has thus almost been completed. The people of Nepal have been enabled to march ahead peacefully towards the objective of a free and independent democracy. The success achieved in these measures so far convinces us, after a serious study of the present national and international situation, that since it is our aspiration to associate the people in greater measure in the administration of the country, the pace of political progress can be accelerated without in any way disrupting the situation of the country. With this objective in view, and fully depending on the patriotic feelings of the Nepali people, we have decided to take the following measures. We hope these measures will enable our country to attain its objectives":-

- (1) A Constituent Assembly will be formed as early as possible through general elections held throughout the country on the basis of adult franchise.

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For the attainment of this objective, a census of the entire population of the country is being taken. Voters lists for the Constituent Assembly elections will be compiled as early as possible. This task is no doubt novel and difficult, but we hope that the Constituent Assembly will hold its first session in 1952. Its main task will be to prepare the future Constitution of the country.

- (2) A Council of Ministers will be established immediately at the center in order to insure that arrangements for the establishment of the Constituent Assembly are not delayed. The Council will consist of 14 ministers, 7 of whom will represent the public opinion and be trusted by the people.

The administrative authority of the country will be entrusted to this Council of Ministers, which will function on the basis of the principle of collective responsibility. The Council will formulate its own rules of procedure. It will have authority also in respect to the income and expenditure of the country. The budget system will be introduced with immediate effect.

The Cabinet shall make all necessary administrative arrangements in order to promote the efficiency of the appropriate administrative departments.

- (3) Until the new Constitution, to be drafted by the Constituent Assembly is enforced, the constitutional law of 1947 shall continue to be in force. But the provisions of this through proclamation or those to be made by the Cabinet will have an over-riding effect over the provisions of that law.

Accordingly, the following provisions of the 1947 Constitutional Law which remain unenforced shall be enforced as early as possible:

- (a) Provisions pertaining to the judiciary. That is, provisions relating to the separation of the judiciary from the Executive.
- (b) Appointment of an Advocate General and an Auditor-General.
- (c) The formation of a Public Service Commission to select qualified candidates for government service, and similar other matters which will contribute to the efficient administration of the country.

About 200 Village and District Panchayats have already been formed and efforts will be made as far as possible for forming the remaining 500 Panchayats too by mid-April, 1953.

- (4) (a) As it is our heart-felt desire that there should be goodwill and full and cordial cooperation between the government and the people, persons who have been engaged in armed rebellion since the month of November 1950 may get amnesty, provided they fully stop it and eschew their policy of violence. However, cold-blooded murders, and those responsible for dacoity and arson shall not be covered by the amnesty. Political prisoners who have not been involved in or associated with murder, dacoity and arson may similarly be granted amnesty if they too repudiate such a policy.
- (b) Political organizations formed by Nepalis living abroad or by all those who give up the policy of violence and follow the path of non-violence shall be welcomed if they are willing to cooperate in the lofty task of insuring the progress and efficient administration of the country.
- (c) There shall not be any restrictions on the formation of any political organization by Nepalis working inside the country. Such organizations shall have to operate according to law and regulations.
- (5) Everybody must be aware of the circumstances in which we have had to place His Majesty King Gnyanendra Bir Bikram Shah Dev in the throne of Nepal. But since no friendly foreign government has so far recognized this step, since uncertainty and even intranquillity seem to be spreading among the countrymen; over this matter, since hooligans are using this as a pretext to create widespread disturbances, indulge in dacoity and molest the people, and even far to murder innocent persons; since the Government of India too has given some friendly advice following discussions with it, and since the suggestion has been made that the cause of peace in the country will be definitely advanced if His Majesty (King Gnyanendra Bir Bikram Shah Dev) appoints a Regent on the advice of the Nepal Government so as to function during the absence of or until the return of His Majesty King Tribhuvan Bir Bikram Shah Dev to this country, an emergency meeting of the Parliament and the Bharadari was held on Poush 23, 2007 (January 8, 1951) to discuss all these questions. After discussing the prevailing situation, these two bodies recommended the appointment of a Regent to function during the absence of His Majesty King Tribhuvan Bir Bikram Shah Dev on the advice of the Nepal Government in the interests of peace and stability in the country. Accordingly I would like to announce that the Nepal Government has accepted the decision of the Parliament and the Bharadari, which it feels to be justified.

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We would like to express our thanks and appreciation to all government servants for faithfully discharging their duties at this time of crisis. I would like to utilize this occasion also for conveying a special message to our beloved brothers in the Armed Forces. "You have upheld the traditional glory which you have gained by displaying patriotism and gallantry even in difficult and perilous circumstances. You have steadfastly stood behind your Government. My dear brothers, I want to assure you that your well-being and interests will for ever occupy the first place in our heart, as we have been doing so far. Even after the present constitutional changes, we shall continue to remain behind you firmly, honestly and patiently." We also extend our heart-felt thanks to the officers and recruits of the Police Department for having stood firm in their duty and discharged their obligations with loyalty and resoluteness despite the present delicate circumstances.

You all need not worry about the future.

We are confident that the important reforms which we have announced today will be welcomed by the entire people of Nepal with the same sense of patriotism and goodwill with which we have presented them. We also hope that the entire countrymen will cooperate with the government in the task of attaining the lofty objective set by it, namely, the promotion of the peace and prestige of our beloved motherland. We are also thoroughly convinced that every patriotic Nepali will understand the importance of the additional measures we have just announced for bringing about reforms in the administration.

Should we deem it necessary to effect some changes in these reforms while executing them, we shall do so after consultations, as this lies within our discretionary powers.

Let all of you remember that the attention of the entire world is at the moment focussed on us. We have to show to the world that the Nepalis alone are capable of guaranteeing the brightest future of their nation. As a matter of fact, it is our sacred duty to uphold and maintain the prestige of our country and our peoples. We have won immortal fame by fighting on various battle fronts on the side of freedom and justice. There is no doubt that in case we work unitedly to serve the country with firmness, courage, and cooperation according to our respective capacities and positions, we shall definitely be able to gain equal fame in the peace front as well.

May Lord Pashupatinath and Goddess Guheshwari bless this country and its people so that we may be able to attain the highest ideals which we have set for ourselves and so that the reforms which we have announced may contribute to the happiness and prosperity of the community. May the tranquillity in this nation, of which every true Nepali is justifiably proud, remain intact, and may the independence of this country remain secure and immortal even amidst the present disturbed situation !

Singha Durbar,
Poush 24, 2007,
(January 9, 1951).

Timber Trade In Morang, 1809-10¹

The timber comes mostly from the dominions of Nepal. That country produces many fine kinds, valuable for their scent and the polish which they will receive, as well as for being strong and durable, but Sal or *Sekhuya* (*Shorea robusta*) is almost the only one in request. In the table of exports and imports, for the sake of uniformity, I have valued it at the price for which it is sometimes sold and is nominally valued at the places where the timber merchants reside, which are often at a considerable distance from the frontier. To this valuation there are however two objections firstly, most of the merchants being mere agents for others residing at Calcutta, Murshedabad, and places where the timber is used, would not sell the timber at any price lower than that for which their principals could sell, the whole expense of delivery to the principals having been already incurred. A stranger therefore arriving here, and being in immediate want of timber, would not probably be able to purchase a quantity sufficient to build a house or large vessel without giving the Calcutta price; nothing indeed can be done at a reasonable price without money advanced before the beginning of the cutting season, at the end of which, part of what has been agreed for will be delivered, but perfectly green and unfit for immediate use. Now as almost the whole labor and expense of the carriage to Calcutta is laid out by the people of this district, the exported timber ought perhaps to have been valued at the price for which it is deliverable at Calcutta, almost all of which is returned to this district. Secondly, the whole value stated in the table of imports does not go to the people of Morang, and cannot be charged as a balance against this district, as will appear from the following account of the manner in which the trade is conducted:-

The timber which comes down the Kosi is mostly purchased by about 35 merchants (Kathaiya Mahajans), who reside in Dimiya and Matiyari near the banks of the river, and are supposed to trade to the extent of from one to ten thousand rupees each. These never go near the forests, but make an agreement with another class of men called Kathaiyas, who for a fixed price engage to deliver a certain quantity at Calcutta, or at whatever town the merchant's correspondent resides. The merchant usually advances two-thirds of the whole of this price by instalments, and the remainder is paid when the timber is delivered at its place of destination. Formerly several Europeans dealt in timber, acting as these merchants; but I believe that they in general lost, and all have now given up the trade. Their loss may be in a great measure attributed to their having completed the purchase here, and sent the timber

¹ Francis Buchanan, An Account Of The District Of Purnea In 1809-10.
Patna: Bihar and Orissa Research Society, 1928, Pp. 561-570.

to Calcutta on their own accounts. Many loads were lost and part only of the timber was recovered, while the logs, as they passed the various towns on their route, gradually diminished in size; so that even when the number delivered was complete, the logs which had left Dimiya of the large size, on their delivery at Calcutta had dwindled down to the smallest. The native merchant avoids most of these frauds by paying only for what is delivered at a certain rate according to its size.

The Kathaiyas also reside in the Company's territory, and some of them have a little capital, with which they purchase timber that they sell either to the timber merchant for ready money, or retail on the way to Calcutta, as they pass along with the floats which have been commissioned. A great part of their stock, however, consists in the oxen, carts, and boats which are necessary for the exportation of the timber. The Kathaiya about the middle of November goes into the territory of Nepal, and sometimes makes an agreement with the people called Dufadars, who are natives of that country. Each Dufadar engages a gang of workmen (Kularhiyas), and agrees to cut and square the timbers and to place them on the carts of the Kathaiya, on which they are carried, so soon as cut, to the Kosi or to some branch of that river, such as the Tiljuga, which is capable of floating them. At other times again the Kathaiya hires the workmen by the month. From the Tiljuga and other tributary streams the logs are floated with canoes. The Kosi at all seasons admits of the boats called Malnis, and the logs are brought near the residence of the merchant so soon as a quantity sufficient to construct a float can be collected. The cutting season lasts from the middle of December until about the middle of April, when the forests become dreadfully unhealthy. The Kathaiyas and their servants then retire to conduct their timber to the destined market, and the Dufadars and their gangs retire to cultivate their fields.

The timbers are of five kinds, Chaukars, Dokars, Bali, Khamba, and Kham. They are always sold by girth, and this is estimated by a cubit called Durgadasi, which is 22 inches long. The Chaukars are squared by cutting an equal quantity from four sides, and are from 14 to 18 cubits long and from $2\frac{3}{4}$ to 4 cubits round. The larger sizes are very rare. The Dokars are flat beams, that is, only two sides are cut away, and therefore they contain much more white wood than the Chaukars, and do not last so long. They are from 14 to 18 cubits long and from 2 to $2\frac{1}{2}$ cubits round. In the operation of cutting and squaring the wood-cutters are entirely ignorant of the use of the saw, and work entirely with the hatchet and adze. The Batis are round logs, freed only from the bark, and are intended chiefly for plank. They are of the same lengths with the squared timbers, and are from 33 inches to 48 inches in girth, measured one-third of their length from the root end. The Khambas also are round, and are from 8 to 12 cubits long and from 1 to 14 cubits round. The Khambis are from 6 to 8 cubits long and under 1 cubit in girth. These two last are chiefly used in this district.

I shall now give an estimate of the expense attending various parts of the operation:- One cart requires ten oxen; one pair called Dhuriya, worth 75 rs., one pair called Bharka, 25 rs., three pair called Chhor, 42 rs. The cart, 20 rs. The stock therefore amounts to 162 rs. The feeding for the cattle, consisting of cotton seed, pulse, oil-cake and straw is 22 rs. a month. One driver, $2\frac{1}{2}$ rs. a month, 4 under-drivers, 8 rs. a month, 1 messenger, (Bahardar), 3 rs. Oil for the wheels, 8 annas. Ropes $1\frac{1}{2}$ rs. 10 Kularhoyas or wood cutters, 30 rs. a month. The monthly expense is therefore $67\frac{1}{2}$ rs.

This gang can bring monthly to the river 12 Chaukars, 5 Dokars and 4 Batis. These are seldom sold at the place of embarkation, so that it is difficult to put a fair value on them, but it is said that the 12 Chaukars may be worth 48 rs., the 5 Dokars worth 15 rs., and the 4 Batis worth $4\frac{1}{2}$ rs.; equal merely to the monthly expense. The cattle, indeed, in other seasons do as much work as defrays their maintenance and that of their servants, but the whole of the interest on their value and the sums necessary to keep up their number must be added to the expense of the four months of the cutting season: 142 rupees at 25 per cent., the lowest actual interest given in this country, will amount to 35 rs., and one-seventh of the value of stock, or 20 rupees, must be allowed for annual purchases of cattle. For the cart, 5 rs. for interest, and as much for purchases, must be allowed. The total expense of four months will then be -

				<u>Rs</u>
Stock	...	...	...	65 $\frac{1}{2}$
Feeding cattle	...	...	...	88
Oil and ropes	...	...	...	8
Servants	...	...	...	52
Duty to the Nepal Government at 10 rupees per month...	...	...	...	40
Additional duties under various pretexts (Kharchah). ...	...	...	...	15
Woodcutters	...	...	...	120
				<hr/>
				Rs 388 $\frac{1}{2}$

For this the Kathaiyas bring to the water 48 Chaukars, 20 Dokars, and 16 Batis.

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The expense of bringing down is as follows:- A canoe may be hired at $2\frac{1}{2}$ rs. a trip, and two men to attend her get 6 rs. Each canoe brings four timbers, so that his 84 timbers will cost on delivery to the merchant as follows:-

		<u>Rs</u>	<u>as</u>	<u>p</u>
Hire of 21 canoes at $8\frac{1}{2}$ rupees	...	178	8	0
Duty to the Nepal Government	...	42	0	0
		<hr/> 220	8	0
Cutting charges	...	388	8	0
Total cost...		<hr/> 609	0	0

When sold at Dimiya, the following may be the usual rate of value, although as I have said, a stranger would often not procure any lower than at the Calcutta price:-

		<u>Rs</u>
48 Chaukars at Rs 10-8-0	...	504
20 Dokars at Rs 5-0-0	...	100
16 Batis at Rs 2-8-0	...	40
		<hr/> Rs 644

When the timber is brought on boats (Malnis) from near the Kosi, the expense is considerably less; but timber has there become scarce, and being less select, sells lower. Considerable deduction must however be made from the profits, because all the workmen must be paid in advance, and none of them can be induced to work for the whole of what they have received.

From this it will appear that on 644 rupees value the real return to Nepal consists of 120 rupees given to the woodcutters, and 97 rupees paid for duties, in all 217 rupees; but to this we must add the provisions sold both for men and beast, which may bring the whole to 300 rupees on 644: so that on the value which I have stated in the Tables of imports only about 50 per cent. should be charged to the credit of Nepal.

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1 When money is advanced to Dufadars, who agree to load the cart with timber, the Kathaiya pays 18 annas for each Chaukar, of which 6 annas (are) duties; for each Dokar 4 annas are duties, and 8 annas hire; for each Batio $2\frac{1}{2}$ annas duties and 5 annas for hire.

		<u>Duty</u>			<u>Cutting</u>		
		Rs.	ase	p.	Rs.	ase	p.
48 Chaukars	...	18	0	0	36	0	0
20 Dokars	...	5	0	0	10	0	0
16 Batis	...	2	0	0	5	0	0
		Rs 25	0	0	51	0	0

The cart then pays only $7\frac{1}{2}$ rupees duties for the whole season. This is vastly less than is paid where the cutters are hired by wages, but a great deal of money is lost by the Dufadar's taking advances and giving no timber, for although an officer of Nepal is deputed to give justice, the sort of justice that is there administered is not suited for the recovery of debts for the creditors. The whole that can be recovered usually goes to the jud

The great advantage here over the woodcutters beyond the Testa is that much larger timbers are brought out, not owing to the trees of the forest being of a larger size, but to a greater exertion on the part of the workmen. This cannot be entirely attributed to the use of oxen and carts, although those contribute to reduce the price of the operation; for in some parts of the forests here, the roads will not admit of carts, and timbers of the same size are carried out entirely by men, and the expense is said not (to) be very materially higher, the people of Nepal being much more active than those of the Company's territory.

The cart is of the common form, but more strongly constructed (than) that in use for conveying other goods.

The following estimate was given of the expense of sending to Calcutta:

		<u>Rs</u>
To 8 Malni boats hire, at 16 rupees	...	128
To 2 men for each, at 8 rupees each	...	128
To ropes	...	16
To 2 Palwar boats to attend	...	24
		<u>Rs 296</u>

Contd...

The prices at which the Kathaiyas agree to deliver the wood to the merchants at Calcutta are about as follows:-

		<u>Rs.</u>	<u>a.</u>	<u>p.</u>
48 Chaukars, at from 14 to 25 rupees average 16 rupees.	...	768	0	0
20 Dokars, at from 8 to 10 rupees average 9 rupees.	...	180	0	0
16 Batis, at 5 or 6 rupees.	...	80	0	0
		<hr/> 1,028	0	0
Total cost as imported.	...	<u>Rs.</u> 609		
Carriage to Calcutta.	...	296		
		<hr/> Rs 905		

The merchant seldom purchases the Batis. These are usually carried by the Kathaiyas on their own account.

The whole of the charges, it is evident, except the provisions which the boatmen may purchase by the way, and that is a trifle, most of what they use being taken with them, is gained by the people of this district, which ought therefore to be credited with an addition of 296 rupees on 609 rupees of the timber which I have stated as exported.

The quantity of timber that comes down by the Kosi is not so considerable as that which is floated by the various branches of the Kankayi into the Mahananda, and which is chiefly purchased by the merchants of Arariya and Dulalgunj, with a few in Nehnagar and Bahadurgunj. In that vicinity one-half of the Kathaiyas belong to Nepal, on which account a much larger share of the prime cost must go to the credit of that country. The Kathaiyas there seldom contract to deliver the goods at Calcutta, but sell it entirely to the merchants of this district, who send it under charge of their own servants, and are usually miserably defrauded, as I have already mentioned. The duties payable to Nepal are levied entirely on the boats which float the timber out of that country.

The timber was stated to be in general smaller than that brought down the Kosi, but the prices are fully as long. Some of the expenses are more moderate. At Arariya it was stated that of the 56,000 rupees worth imported and delivered to the merchant, there was as follows:-

Contd...

		<u>Pieces</u>
Rs 14,000 worth of Chaukis from 14 to 16 cubits long by $2\frac{3}{4}$ to 3 cubits round, at from 18 to 20 rupees a pair.	...	1428
Rs 28,000 worth of Dokars from 16 to 18 cubits long by $2\frac{1}{4}$ to $2\frac{1}{2}$ round, at from 10 to 12 rupees a pair.	...	5090
Rs 10,500 worth of Batis from 16 to 18 cubits long by $1\frac{3}{4}$ to 2 cubits round, at 5 or 6 rupees a pair.	...	3818
Rs 3,500 worth of Khambas, from 8 to 18 cubits long by $\frac{3}{4}$ to $1\frac{1}{4}$ round, at from 2 to 8 annas each.	...	11200

Now at the place of embarkation the owners of the carts are said to deliver these at the following rates:-

	<u>Rs.</u>	<u>as.</u>	<u>p.</u>
To 1428 Chaukars at from 10 to 12 rupees a pair.	7,964	0	0
To 5090 Dokars, at from 6 to 8 rupees a pair.	17,815	0	0
To 3818 Batis, at from 3 to 4 rupees a pair.	6,681	8	0
To 11200 Khambas, estimated on the same average rate as the above.	2,164	0	0
	Rs 34,624	8	0

Farther, the owners of the carts pay to those who cut and load the timber as follows:-

	<u>Rs.</u>	<u>as.</u>	<u>p.</u>
To 1428 Chaukars at 3 for a rupee	... 476	0	0
To 5090 Dokars at 4 for a rupee	... 1,272	8	0
To 3818 Batis at 6 for a rupee	... 636	5	4
To 11200 Khambas, estimated at the same rate, in proportion to their value.	... 158	14	8
	Rs 2,543	12	0

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Arariya exports nearly a half of all that goes by these rivers, and by doubling each of the above estimates we may obtain one for the whole. It is said that in this part of Morang about 200 carts are employed. They are said to work six months in the year. According to the above estimate, each cart pays to the woodcutter about 25 rupees a year and sells its wood at 345 rupees, leaving 320 rupees for the expense and profit of the owner.

	<u>Rs.</u>	<u>as.</u>	<u>p.</u>
A cart is said to cost 30 rupees, the annual charge on which is	... 15	0	0
	<u>Rs.</u>		
Cost of cattle 2 Bagodhas*(Sic)...	35		
Eight common cattle	... 100		
	<u>Rs 135</u>		
Interest at 25 per cent.	... 33	12	0
Keeping up the stock at 1/7	... 19	9	0
Oil, ghi and rope	... 2	0	0
Food for the 2 large oxen	... 45	0	0
Duty to the Nepalese	... 7	8	0
Once chief carter, 4 under-carters and one herdsman at 12 rupees a month.	... 72	0	0
	<u>Rs 194</u>	<u>13</u>	<u>0</u>

A duty of four rupees on each boat loaded with timber is taken by the Government of Nepal, and may amount to 6000 rupees a year, which with 1500 rupees duty on the carts can be well afforded, as the only price given for the timber to the owner of the soil. Some more exactions (Khurchah) are made which will probably increase the amount of the duties to 10,000 rupees.

The charges for bringing a load of timber from the place of embarkation to the residence of our merchants are enormous. The boat takes 10 Chaukars worth at the place of embarkation, 55 rupees. The boat hire is 5 rupees; 2 men's wages, 6 rupees; rope, 1 rupee; in all, 12 rupees. The charges to Calcutta are more reasonable: 12 rupees for a boat, 16 rupees for 2 men, and 1 rupee for rope; in all 29 rupees for 10 Chaukars.

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The duties, the trifle paid to the woodcutters, and one-half of the gain on the carts are all for which credit can be given to Nepal, which will fall very nearly as much short of what I have taken as the import price, as the statement on the Kosi. The export price ought also to be raised by the hire given to those who carry the wood to a distant market.

Down the Kosi some of the timber called Sisav (see Trees No. 87) is annually imported, and the greater part is sent immediately to Calcutta. The quantity is about 2000 timbers, from 7 to 9 Durgadasi cubits (22 inches) long and from 2 to 4 cubits round. In general they are round logs, but a few of great dimensions are squared. Their value at Dimiya is estimated at from $2\frac{1}{2}$ to 3 rupees a log. The cutter agrees to deliver them at Calcutta at from 4 to 6 rupees a log. They are floated down without the assistance of a boat, being much lighter than the Sal.

A very few trees, perhaps 150, of the species of Cedrella, called Tungd at Calcutta and Paungya here, are brought down the Kosi, and sent to Calcutta. The logs are of the same size as those of the Sisav, and are delivered in Calcutta at from 6 to 7 rupees a log.

Perhaps 150 logs of a timber called Satsal are also brought down, and exported to the same place. It is more fitted for joiners' work than the Sal. The logs are of the same length with those of the two last-mentioned timbers, but are only from $1\frac{1}{2}$ to 2 cubits round. The price for those deliverable at Calcutta is from 4 to 5 rupees.

From Bhagalpur are brought some posts, beams and planks, chiefly of a tree called there Sekhuya, which is the Hindi name for the Sal or Shorea robusta. It is all used in the southern parts of the district.

Canoes are a considerable article of import from Morang, and a large proportion of them remain in the country, but many are exported to various places down the Mahananda and Ganges. They are exceedingly rude in their shape, and are not opened by fire as those of the eastern parts of Ronggopur; but the tree is flattened on two sides, in one of which the excavation is made, so that the transverse section is somewhat thus . There are two kinds; Sugis, which are sharp at both ends, and Saranggas, which terminate in a blunt kind of goose-tail head and stern. These last are by far the most common, and by far the greater part of both is made of Sal timber. Both kinds are between 18 and 22 common cubits in length. The Saranggas are from $1\frac{1}{2}$ to $2\frac{1}{4}$ broad in the beam, at midships, and are worth from 6 to 16 rupees each, where delivered in the Company's territory, near the residence of the merchant. The Sugis are from $\frac{3}{4}$ to $1\frac{1}{4}$ cubit wide, and sell from 5 to 6 rse. They are most miserable conveyances; nor is there any of the Saranggas so fine as many procured near Goyalpara, where the timber is probably larger.

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Canoes made of Sal last ten years. The canoes made of Karmain timber last twelve years, and are about 1/16 part dearer. They are of the same sizes with those above mentioned. Very few are procured. Some of the canoes are also made of the Simal (Trees No. 56) but none of these are exported. Saranggas sell from 5 to 7 rupees each. Every canoe, good or bad, exported from Nepal by the Kosi pays to the government $1\frac{1}{2}$ rupees, and probably those sent by the other rivers pay as much.

Ploughs ready made are imported from Morang to the divisions adjacent that are bare of timber.

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Regulations On InheritanceMahottari District¹

"In case a ryot dies without leaving any issue behind, and has no uncle, brother or nephew within 3 generations, his property shall accrue to the government, leaving an amount sufficient for the maintenance of his mother according to the value of such property."

Kartik Sudi 10, 1866 (October 1809).

Western Hill Region

Among Newars living in areas situated between the Ankhū and Gandakī rivers in the western hill region, sons were not entitled to inherit their deceased father's property, nor was a father entitled to appropriate his deceased son's property. In both cases, the property accrued to the state. Orders were issued on Baisakh Badi 7, 1894 (April 1837)² that the system should be changed and sons and fathers permitted to inherit and appropriate property in the cases mentioned above.

¹ Regmi Research Collections, Vol. 40, Pp. 114-115.

² 26/635.

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Order To Kipat-Owing Chepangs in Pinda (West No.1), 1847

From Prime Minister Jung Bahadur,

To Gore Mijhar, Dhane Mijhar and all other Kipat-owing Chepangs of Pinda (West No. 1 district).

It appears that you have fled into forests (for fear of) troops sent there to search for persons engaged in illicit movements from Nepal (i.e. Kathmandu Valley) and the Tarai. You have represented to the respectable people of Pinda that you have not committed any offense, that you feel afraid of coming back to your homesteads and engaging yourselves in cultivation; and that you will do so if an order assuring you of security is granted. The matter was then reported here. As you are subjects, you should not commit any wrong action. If you do anything against the interests of His Majesty, if any person reports the matter here and if you cannot face interrogation, your Kipat lands may be taken away from you and you may be enslaved along with the other members of your family. Understand this well, and come back to and live in your homesteads. Perform the customary function of attending to the Maula (places where sacrifices are offered during religious festivals) and other functions assigned to you and pay the prescribed taxes and levies.

Jestha Sudi 15, 1904

(May 1847)

(Ragmi Research Collections 33/20)

Contd...

Judicial Arrangements For Gaine Community, 1850

From Prime Minister Jung Bahadur,

To Gaines throughout the Kingdom.

Bhimsen Gaine and Shyam Sundar Gaine have represented that their father, Khandari Gaine, had been granted authority to adjudicate in such offenses as those relating to caste, the taking of cooked rice and water, infanticide and marriage with slave girls among members of the Gaine community, but that Gaines were acting in violation of this arrangement and acting as they liked. Henceforth, Bhimsen Gaine and Shyam Sundar Gaine have been granted authority to dispose of complaints in this regard, award justice, prescribe punishment according to the nature of the offense and appropriate the customary fees and penalties. The local court (Amal) shall not adjudicate in such matters. Gaines shall not be evicted from their lands and homesteads. We hereby prescribe these arrangements and restrictions, which you shall comply with faithfully.

Magh Sudi 7, 1906

(January 1850)

(Regmi Research Collections 33/146)

Contd...

Judicial Arrangements For Maithili Brahmins, 1853

From Prime Minister Jung Bahadur,

To Subba Taksari Dharmanand Jha, Subba Prithvi Lal Jha, Subedar Saheb Jha, Bichari Shyam Lal Jha, Bichari Lal Jha, Bichari Braj Lal Jha, Pandit Basudev Mishra, Pandit Chandra Narayan Jha, Pandit Harsha Narayan Jha, and Pandit Krishnaji Jha.

Along with other members of your caste, you have come to our residence at Thapathali and made the following representation to us:-

"The Brahmins of our caste have left showing respect to those whom respect is due. Nobody obeys anybody. Everybody is indulging as he likes in corrupt practices which have traditionally been unknown in our community. Your Highness has enforced legislation in respect to all other castes. But our caste has not obtained any such legislation."

It appears that the situation has become very bad because there is nobody in your caste to prescribe regulations. Henceforth, from Aswin Sudi 15, 1910 (October 1853), you 10 persons have been granted authority to prescribe regulations for your caste. Prescribe regulations on a customary basis for your caste, which have now been contravened, in consultation with everybody. Dispose of all disputes relating to caste and communal relations in your caste, except those relating to homesteads, monetary transactions, subdivision of property, cash, movable and lands, and the five principal offenses. Disputes which you are unable to dispose of or settle shall be heard by the court (Amal). While disposing of disputes, imposing fines and collecting fees from the winning party, collect amounts ranging from Rs 5 to Rs 30 at your discretion according to the nature of the dispute. With the proceeds of such fines, worship Goddess Guhyeshwari, pray for victory to His Majesty and us and feed Brahmins. In case you do not award justice according to the customs of your caste and show favor and partiality for anybody, or take bribes and commit injustice, you shall be fined according to law. In case anybody indulges in practices which are not customary in your caste and does not comply with the regulations prescribed by you, expell him from your caste. We shall not entertain any complaint against you in cases where you have ordered such expulsion on legitimate grounds.

Kartik Badi 10, 1910

(November 1853)

(Regmi Research Collections, 33/176)

*i.e. offenses involving capital punishment, life imprisonment, shaving of the head and branding for degradation to a lower caste and loss of caste.

On Rates Of Interest

King Ram Shah (1606-1636 A.D.) of Gorkha promulgated the following laws:-¹

1. Debtors are unable to repay loans in foodgrains obtained by them from creditors. Irrespective of the number of years, (creditors) calculate interest for every year. Interest thus accumulates every year, even though (debtors) are not able to repay their loans for many years. They are thus never able to repay their loans. Consequently, some people in the country are never able to free themselves from their creditors, and always remain in debt. If (interest) is calculated at one-fifth (20%) every year, (the total amount) becomes three times (the principal amount) in 10 years, Creditors shall receive three times (the principal amount) accordingly. Even if debtors are not able to repay the principal amount or interest thereon for any number of years beyond 10, creditors shall not charge interest from them for every year after (debtors) become able to make repayment. Creditors shall receive only three times (the principal amount).
2. Debtors are unable to repay also loans in cash obtained by them from creditors. Interest thus accumulates every year irrespective of the number of years for which (debtors) are unable to make repayment. They are thus never able to repay their loans. Consequently, some people in the country are never able to free themselves from their creditors, and always remain in debt. If interest is calculated at one-tenth (10%) every year, (the total amount) become double (the principal amount) in 10 years. Creditors shall receive double (the principal amount) accordingly. Even if debtors are not able to repay the principal amount or interest thereon for any number of years beyond 10, creditors shall not charge interest from them for every year after (debtors) become able to make repayments. Creditors shall receive only double (the principal amount).

¹His Majesty's Government, Shri 5 Surendra Bikram Shah Dev Ka Shasan Kal Ma Baneko Muluki Ain. (The Legal Code Framed During The Reign of King Surendra) Kathmandu: Ministry of Law and Justice, 2022 (1965). 695-700 Pp.

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It may be noted that these laws only sought to give relief to debtors who were unable to repay their loans for long periods of time. They do not appear to have imposed any control on the rates at which creditors might charge interest from their bonds.² There is evidence that current rates of interest were much higher than 10% on cash loans and 20% on in-kind loans as prescribed by King Ram Shah. King Krishna Shah (1642-1658 A.D.) of Gorkha had obtained a loan of Rs. 3.20 from a Brahman; the bond was renewed by his successor, King Prithvi Pati Shah (1669-1716 A.D.) in 1715 A.D., stipulating interest at 25%.³ Similarly, King Rudra Shah (1658-1669 A.D.) of Gorkha stipulated interest at 12½% on a loan obtained by him from a Brahman, Pratiman Padhya, in 1673 A.D.⁴

²The Bhasha Vamshavali, a Nepali chronicle, gives a different interpretation of the measures taken by King Ram Shah, which gives the impression that he actually sought to control current rates of interest. (Aitihasik Patra Sangraha, Part II, P. 51). However, the text of the laws, as translated above, does not appear to confirm this interpretation. It appears safer to base our interpretation on the text of the laws themselves, rather than on the version of a latter-day chronicler.

³Ramji Tewari (et. al.) (ed), Aitihasik Patra Sangraha (A Collection of Historical Letters). Part II. Kathmandu: Nepal Cultural Council, 2021 (1964). Pp. 50-51.

⁴Ibid, Pp. 10-11.

(S.B.M.)