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Rituals In Nepali Life*

By

Badri Ratna and Ratna Kaji Bajracharya

Let us discuss here the traditional rites performed in Nepal from birth to death and afterwards.

From The Sambalodaya Tantra

Birth becomes possible when a father and a mother unite, following the path of enjoyment.

The genital organ of the mother is joined at the center by two arteries, one secreting semen and the other blood, coming from the right and the left sides respectively.

At the center the father's semen joins the mother's blood, forming thereby a compound, which in the form of a drop passes into the womb of the mother.

The compound becomes a pudding-like mass of semen and blood after the first month, a thin substance after the second, a mass of flesh after the third and a solid substance after the fourth.

With the wind passing through it the solid mass then takes the form of a fish in the fifth month developing hands, feet, head and body in small proportions and also all the five senses of eyes, ears, nose, tongue and mind.

(Bones and livers are formed in the sixth month).

Hairs and nails develop in the seventh month.

In the eighth, all the senses are developed and in the tenth everything is complete and birth takes place.

*Badri Ratna and Ratna Kaji Bajracharya, Nepali Jan Jivan Kriya Paddhati (Rituals in Nepali Life), Kathmandu: The authors, 1963, 38 PP (Newari).

Removal Of The Umbilical Cord

From The Manjushri Parajika

For the benefit of the new-born baby nine varieties of seeds (including areca-nuts) are presented and then the umbilical cord shall be cut off against a fruit, with prayer that the child may grow wise.

On this occasion, the baby shall be bathed; auspicious music played, religious gifts distributed; and celebrations held. The family shall then observe impurity caused by the birth of the child.

Purificatory Rites

From The Manjushri Parajika

Purificatory rites shall be performed in the traditional manner. The child shall be consecrated with a water jar and blessed.

Ghee and honey shall be kept on a leaf of a pipal (*Ficus religiosa*) tree, and worship shall then be offered according to rules. Thereafter the child shall be made to taste the ghee and honey.

Six pathis of Shali paddy shall be heaped at a place. (A circular figure of Manjushri, drawn on a piece of slate, shall be placed on the top of the heap). Sixty lighted wicks shall be placed all around it, and worship shall be offered with all the three different thoughts of abstract meditation.

Then the horoscope shall be drawn up according to the principles explained in the Graha Sadhana. The planets shall be worshiped. The night shall be passed in a vigil and the Graha Matrika recited.

The Naming Ceremony

From The Manjushri Parajika

The naming ceremony of the child shall be performed according to the prescribed letter of the alphabet, on the tenth, twelfth or twentieth day of its birth.

Ceremony Of Exposure To The Sun

The child shall be exposed to the Sun either after the first or the third month of its birth. This will greatly benefit the child.

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Ceremonys Of Giving Food

The ceremony of giving the child food shall be held in the sixth month or after a year of its birth. On this occasion a tray with ornaments, clothes, clay, cotton, paddy, ink, pen etc on it shall be placed before the child, so that it may pick up anything it likes, indicating thereby its life in the futures. Thereafter it shall be given food.

Protection From The Planets

From The Nemasutra Parajika

(On the occasion of the food giving ceremony) the child shall be made to wear a necklace of multicolored threads bearing an amulet containing a coral, hingul, kut, the Sobhanjan fruit, nardostachys jatamansi, a piece of cloth, a piece of iron, terminalia chebula, a piece of copper, and a piece of silver, symbolic of the Sun, the Moon, Mars, Mercury, Jupiter, Venus, Saturn, Rahu, Ketu and birth respectively. This will greatly benefit and protect the child.

Purification Of Throat

The day following the food giving ceremony, a water jar shall be worshipped and the throat purificatory rite performed by cleaning the child's mouth with a stick, then sending it to the local deity and presenting it with auspicious articles.

Shaving Of Head

From The Manjushri Parajika

The ceremony of tonsure shall be held between the seventh and the twelfth year of the child's life formation in the mother's womb in the manner followed by Brahmins, Kshatriya, Vaishyas and Shudras. Ear-holes shall also be made on the occasion.

Bratabandha Ceremony

The Bratabandha ceremony shall be held in the seventh or twelfth year of birth. On the occasion the boy's head shall be shaved except on the crown, and nails shall be cut off. He shall then be made to bathe himself with sesame and myrobalans worshipped according to the prescribed rite. An arrow, a sacred thread and the branch of a birch tree, shall be given to him, and he shall be sent to the forest. In case he is to commence the life of a householder, he shall be taken to the temple of Ganesh in the locality and brought back home after giving him alms at the gates of his house.

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Rites Of Monasticism

The boy's head shall be completely shaved and his nails cut off. He shall wear yellow robes and undergo training in the Five and Ten Principles.

He shall be sent to the Sangha, given a bowl, Kundhar Shilalaku, instructed in the Shat Paramita and the Chatur Brahma Arya Satya.

From The Manjushri Parajika

He shall then be given education in various branches of learning including Bodhi Chitta Jnyan, whereupon he shall be known as a Bhikshu. He shall, however, be known as Shramaner if he is given education only in half of the above, and Chairak, if educated only in a quarter. Among these three categories the highest is the Bhikshu. They cannot perform sacrificial rites.

Rites Of Initiation Into Priesthood (Bajracharya)

From The Kriya Sangraha

A Bhikshu, who is born in the Shakya family and enters the monastic order, shall be addressed as Banda. The Bhikshu who, afterwards, holds a bell and an object representing a thunder-bolt shall be called a Bajracharya.

From The Manjushri Parajika

A Bhikshu who deserves to attain Nirvan (i.e. final liberation) and who sheds his desires shall be invested with a bell and an object representing a thunderbolt. He shall then be authorised to perform sacrificial rites. A Bhikshu who is invested with these two objects shall be conferred the title of Bajracharya and then permitted to peruse and recite the Mahayan Sutra.

Marriage

From The Kriya Sangraha

On an auspicious day and moment a girl who is blessed with good qualities shall be brought. (Sacrificial rites and wedding shall be performed according to traditional rites).

Her body shall be purified. A piece of iron and a lighted wick in a pathi shall in turn be rotated in the air before her face. She shall then be made to homage to the gods. After that she shall be given clothes and ornaments to wear.

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She shall hold a box, containing yellow powder, vermillion and a piece of gold and offer them to gods and elders.

Thereafter she shall have red powder put on the parting of the hair over her head with a metal stick which subsequently shall be placed on her hair.

Handing The Bride To The Groom

From The Panigrahan Bidhan

Ginger, salt, raw-sugar, chutro, madan-pushpa, fish, the Sobhanjan fruit, frog, betel, nuts, fried rice and whole rice grains packed in a leaf and suspending it by a special thread 101 times longer than her height shall be put round her neck. (She shall then be given a marriage vessel).

A Swastik mark shall be drawn on her palm. A piece of thread, fried rice and rice grains shall be placed on it in a leaf. She shall then close her fist. Then with a solemn vow (Sankalpa), her hand shall be given to the boy.

Nikshabhu Rites

The system of performing Nikshabhu rites on the day following marriage is prevalent only among some persons. (A special feature of this rite is that the bride and her mother-in-law for the first time in their life share the kitchen. They exchange food between themselves from their plates -- Nepal Press Digest (Pvt) Ltd).

Hair Braiding Ceremony

It is a rite performed on the third day of the marriage. The boy then braids the hair of the bride. This system is also not observed by all.

(Rites To Be Performed By Girls)

Confinement During Menstruation

On the day when the girl is to be confined, she shall worship a water jar. She shall then be placed in a room arranged for the purpose. The Sun's rays shall not be allowed to enter the room. She shall also not be allowed to see any man. After the expiry of twelve days she shall take a bath and then have a look of the Sun. She shall then worship the Sun, visit a local temple and Ganesh. Auspicious articles shall be offered to her.

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The 'Seventy-Seventh Year

From The Nem-sutra Parajika

The seventh day in the seventh month of the 77th year of a person's life shall be celebrated by his or her children.

Verses from the Grahamatrika shall be recited. A circle of the planets, as described in the Grahasadhana shall be drawn and worshipped. The head shall be shaved and nails cut off. Everybody shall then have a purificatory bath.

Rites on the occasion shall be performed by a person who has witnessed 950 moons. A chariot shall be made for the purpose after the traditional custom of the family, equipped with horses, etc! This ceremony is known as Bhimarath Kriya.

The Eighty Eighth Year

From The Nemasutra

On the 8th day in the 9th month of the 88th year of a man's life, at the time when the 1000th moon is seen, one more such celebration called Debarath shall be held.

This celebration may also be held after the 80th year of a man's life. On this occasion a circle symbolizing Goddess Basundhara shall be drawn, surrounded by eight Yakshinis. Worship shall be offered and a prayer shall be made for the eight blessings (Ashta Siddhi).

The Ninetieth Year

After the completion of the ninth day in the ninth month of the ninetieth year of a man's life, a celebration called Maharath shall be held on the day when 1200th moon is seen.

As on the occasion of the first celebration known as Bhimarath, the Maharatha shall be performed by making a sacrificial platform, and drawing a circle of victory and a coronet.

Fruits Of Actions

Birth, disease, and old age are the fruits of actions done in the previous life. They are natural to a person after his coming into being in his mother's womb. Major diseases, such as those originating from wind, bile and phlegm, and typhoid are also the fruits of actions done in the previous life.

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A good physician treats a patient by examining his tongue and pulse.

He should similarly worship and appease terrible spirits, ghosts, gods, and serpents on suspicion that the disease might have been caused by them.

Skillful persons are also then asked to use their magical powers. Horoscopes are also consulted to see if it was due to the influence of any planets.

Thereafter necessary rites are performed as advised by those who have consulted the horoscope. In this way everything possible is done for the good of the patient.

Then the family deity is worshipped. Offerings are presented and blessings are invoked. But a deadly disease, once it attacks a person, is not cured in spite of all possible efforts.

(Finally) when the life-breath is about to go out of the nine gates, (ears, etc) and subsequently breathing becomes heavy, a sovereign drug (in pills) is administered and a gift known as Baitarani is given to a priest.

A cow also is gifted according to religious rites. An offering of water is made at the feet of the patient and then incantations relating to the family deity are recited in his presence.

By this time nothing is left in his body except the breath of life which too finally deserts it and goes to the abode of Yama, the god of Death.

Subsequently the soul is taken to see the field of action prepared by his own doings. He will get the fruits of his actions, whether good or bad.

Utkranti Rites

(Passage of the soul out of the body)

Utkranti rites shall be performed after the death of a person and not before. If these rites are performed before the death takes place the person (in whose name they are performed -- Nepal Press Digest (Pvt) Ltd) shall go to hell.

Under these circumstances, Utkranti rites shall be performed only after having proper knowledge of the facts.

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Funeral Rites

When a person breathes his last, a piece of iron or a knife should be placed over his body, and lights should be kept burning towards his head and feet, and if possible, all around the body. Because of the influence of the iron or knife, the breath of life, which has gone out, cannot re-enter the body. If not, it may return and enter it, with the result that it will not have an access to any good state (i.e. it will be condemned to the perpetual state of agati). This is why a piece of iron should be placed over the dead body.

Casting of Clothes At Chhwasa

Clothes, taken out of the dead body or his old clothes and seat (or mat) and the girdle worn round his waist shall be thrown away at the Chhwasa, the place where his umbilical cord had been thrown away at birth. This is to be done so because it may otherwise lead to the infection of the disease of the dead person.

Smoking The Eaves

Cowdung cakes shall be burnt in a clay-pot beside the main gate under the eaves, so as to emit smoke thereto. Discharging of smoke in this way into the whole house will destroy the germs of the disease which had claimed the life of the deceased person.

Covering The Dead Body With White Cloth, etc

With cowdung make a drawing (on the ground -- N P P (Pvt) Ltd) of a Swastik, symbolizing "may it be well with him" and over it place the dead body, covered all over with a white cloth. Bringing it out therefrom, place it on a Kuta, (a staircase-like chariot) decorated with astamangal (a collection of eight auspicious articles), Kirkinijal (a wreath of pieces of fruit), Fayagan (a number of tinkling bells of paper), a wreath of flowers, flags, etc and then scatter fried paddy, vermilion, flowers, etc all over the Kuta.

Casting Of A Bamboo-Pot At Cross Roads

When the dead body is taken out, the house shall be swept all over (with a broom-stick). The dust thus gathered shall be kept in a pot which subsequently shall be thrown away at the Chhwasa along with that broom-stick. The pot, the dust and the broomstick are thus to be thrown away because it will prevent the inmates of the house from getting infected with the disease of the deceased person.

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Funeral Procession

From The Manjushri Parajika

The dead body shall then be taken to the crematorium, led by a person sweeping the path with a broom, another sprinkling water, the third burning incense, the fourth scattering paddy grains, the priests reciting the verses of Dharani, praying for the protection of the dead man's soul from evils, and a batch of instrument players, playing the funeral tunes, etc. (On the funeral ground, a pyre shall be made of fuelwood, over which the dead body shall be placed. Then the relatives and members of the family shall offer holy water to it).

Rites To Be Performed On The Funeral Ground

From The Buddhokta Sansaramaya

In front of the dead body, three riceballs shall be offered—one to crows, another to spirits and the third to dogs.

The balls shall be offered by the son or in his absence by the wife or in her absence by the brother or in his absence by some other relative.

(By virtue of offering a rice ball to crows, the dead person shall not be reborn as a bird).

By virtue of offering a rice-ball to dogs, he shall not be reborn as an animal.

And by virtue of offering a rice ball to spirits, he shall not attain the state of a spirit or a lower animal.

By virtue of offering a rice ball to crows all efforts will be accomplished, while by that to dogs the path of religion will be seen.

And by virtue of offering a rice-ball to spirits, freedom from leading a spirit's life will be achieved.

Fire then shall be consecrated at the mouth of the dead body. (Consecration is thus to be made at the crematorium because a sacrificial hall in front of a divine mother's (matrika) place or on the bank of a river always remains constant).

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Washing Away Of AshesFrom The Manjushri Parajika

On the third day the bones of the dead body shall be washed and worshipped. The ashes at the crematorium shall also be worshipped and heaped to form a monument and again worshipped. Thereafter all the ashes shall be thrown into a river. The ashes may be thus thrown on the fifth, sixth or seventh day.

Quittance Rite'sFrom The Manjushri

On the third day a circle, representing Durgati, i.e. bad state, shall be drawn and worshipped. The pot containing the ashes shall also be worshipped. The Aparimita verses shall be recited. On the fifth, sixth or seventh day the ashes shall be placed inside a brass Chaitya and then consecrated with short rites. The ashes (left after this) shall then be sent to five rivers to be thrown away).

Rites On The Seventh Day

On the seventh day, cooked rice shall be offered at the main gate of the house.

Hanging Rice On The Eaves

Again, on the same day, some rice shall be hung on the eaves, along with a burning wick late at night when no human being will walk out.

Purificatory Rites

All the relatives of the same clan shall go to the river side, shave their heads, cut off their nails, take a bath, put on new clothes, take panchgavya, (the five products of the cow, i.e. milk, curd, clarified butter, urine and cowdung) and thus get purified.

They shall purify their body by bathing in the river with a little flour, some pieces of dry myrobalans, sesamum, a little rice powder, oil and oil-cake.

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House Purification

The priests (Acharyas), on the seventh day, and others on the twelfth, shall take nut, betel-leaves, and tooth-sticks and throw them away and then perform sacrificial rites. This will purify the house.

DasePinda Rites

(Offering Of Ten Rice Balls)

From The Nem Sutra

Beginning from the day of the death to the seventh or the tenth day, offerings of rice balls called Das Pinda shall be made.

From The Buddhokta Sansaramaya

Offering of rice balls in ten consecutive days helps the formation of head, eyes, nose, ears, heart, hands, bowels, senses, legs, hairs and nails, and body (of the dead person).

Ekadas Pinda Rites

(Offering Of Eleventh Rice Ball)

On the eleventh day, the eleventh rice ball shall be offered.

The offering of this eleventh rice ball, on the eleventh day, will help the dead person to take his rebirth (in any one of the four forms of existence).

Procedure Of Offering Pindas

Again, after a period of one and a half months or after three months rice balls shall be offered in the name of the dead person.

Again after the end of the year rice balls shall similarly be offered in his name.

Lin Pinda

When offering rice balls, one each shall also be offered to the father, the grand-father and the great-grand-father if the dead person is a male or to the mother, the grand-mother and the great-grand-mother if it is a female. When offering these, to these three generations one should pray for the help of Buddha, Dharma and Sangha.

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In case a son dies while his father is living, no such offering shall be made.

Lin Pinda, Saman Pinda, Nimitta Pinda shall be offered at the house, or a hill top or river bank or any other holy place. The objects to be offered on such occasions shall be pure and edible and not impure and inedible.

Priest

From The Manjushri Parajika

Help for performing the Shraddha ceremony should be sought from a person who is well disciplined, pure at heart, restrained in his desires and speech, content, well-versed in performance of all rites, patient and pure. The Shraddha ceremony caused to be performed by such a priest will bear eternal fruit and please and satisfy the manes.

Help for performing the Shraddha ceremony should not be sought from a person who is wicked, talkative, impure, quarrelsome, discontent and who can eat too much. If such a person is engaged to perform the Shraddha ceremony, the manes will go back disappointed and the donor will fall into hell.

Shraddha

A rice ball offered on the Full Moon day of the month of Kartik is called dharma pinda, a ball of religion. As such all the four classes of fruits, religious, financial, sensual and emancipatory, will accrue on the dead person.

The Shraddha ceremony should be performed on the Full Moon days of Kartik and Magh, or on the thirteenth day of the Dark Half of Shravan or on the third day of Baishakh. The dead person will be benefitted considerably.

From The Manjushri Parajika

Performance of Shraddha ceremony on a wrong day will foil its purpose which consequently will prove detrimental to the growth of the family.

The Shraddha ceremony shall not be performed during the mourning period or touched by a woman during her menstruation. It will, otherwise, foil the purpose of the ceremony.

From The Manjushri Parajika

The Shraddha ceremony should be performed after noon and before sunset.

When performing the Shraddha ceremony rhinocero's meat should be placed inside the rice ball. If it is done so, (owing to the influence of that meat), the reward of performing the ceremony will go to the manes even after the expiry of a Kalpa (a period of 432 million years), and they will always be happy.

The rice-balls to be offered to the manes should be made of grains of good quality, rice, beaten rice, rice-powder, barley powder, etc and not of things prohibited by the people (maize powder, millet powder, etc), and shall be mixed with ghee, honey, milk and curd.

These balls should then be offered in the name of the deceased person, along with flowers, incense, wicks, and eatables.

From The Manjushri Parajika

While performing the Shraddha ceremony, the person doing so should take his seat on a seat of Kusha grass and offer the rice-balls, keeping them on an arghapatra (a pot used specially for making offerings). The balls should, first of all, be offered to the ancestors and last to the deceased person.

Then a Bikal Pinda (a spare rice-ball) should be offered. Offering of such a Pinda is essential on the occasion of every kind of Shraddha ceremony. Performance of millions of Shraddha ceremonies will be of no avail if a Bikal Pinda is not offered on the occasion.

From The Pinda Bidhan

"May my offering of water obtained from the ground satisfy my brothers and sisters who were born in my family and who died issueless or who were delivered prematurely or who have fallen into the state of spirit, with deformed bodies or appearances. Let me offer the rice-balls to the destiny in the name of all those who, having fallen on the wrong path, have been deprived of their perfect state."

The rice-balls should not be offered in an iron, clay or wooden pot. In case it is done so, the manes will go back disappointed.

On the occasion of the Ashtami celebrations, offering of different kinds of flowers pleases gods, while on the occasion of Shraddha ceremony offering of red and fragrant flowers displeases the manes. So such flowers should not be offered.

From The Pinda Bidhan

The manes will be pleased if they are offered flowers such as lotus, Tagar, and Bhiringaraje

On the occasion of the Shraddha ceremony the manes should be invoked with sesame, Kusha grass, water and flowers in the hand. They will be satisfied (regardless of a few things lacking). Sesame and Kusha grass is the best thing for all rites, specially for the Shraddha ceremony.

From The Manjushri Parajika

On the conclusion of the Shraddha ceremony, the vessel containing the rice-balls should be placed just outside the main gate, and encircled with a current of water three times from the right side and three times from the left. The priest, facing the west, should then recite the verses regarding the conclusion of the ceremony (as follows).

From The Manjushri Parajika

"Be gone to your respective places as you have come before, giving blessings for achieving everything."

Right Place For Leaving Rice-Balls

The rice-balls should then be thrown away in a spirit's resort, river or a tank. Thereafter the relatives should be offered a feast.

Village Panchayats During The Rana PeriodThe Village Panchayat Act, 1949r

(Continued)

Chapter IVMovable And Immovable Assets And Fund Of Village Panchayat

26. The Village Panchayat may acquire land with the consent of the owner thereof, on payment of the values at locally current rates, in case the land is needed for any of the purposes mentioned in this Act. In case the landowner refuses to give the land, the Village Panchayat may submit an application for acquisition thereof to the chief of the appropriate District Administration Office, who shall study the grievances of the landowner, the current value of the land, and the opinion of the Village Assembly and then make a decision. In case any party is dissatisfied with such a decision, an appeal thereagainst may be filed in accordance with the law and regulations.
27. The Village Assembly shall have full ownership rights over any land or their property registered in its name, and the income accruing therefrom shall be credited to the fund of the Village Assembly.
28. In case there arises a dispute as to whether the Village Assembly possesses ownership rights over any land or other property as mentioned in Section 27, the nearest court shall dispose it of.
29. In case it becomes necessary for the Village Panchayat to obtain land for any purpose, it shall notify the appropriate Central Administrative Office accordingly and act as directed.
30. (1) The Village Assembly may, if it so deems appropriate after taking into full consideration the situation in its area as well as the duties to be performed by it, and holding discussions subject to rules prescribed by the government, impose the following taxes in areas within its jurisdiction, and collect such taxes only after it has notified the Central Administrative Office of such decision and obtained its approval thereto.
 - (a) Tax on land at rates not exceeding 5% of the land tax payable to the Central Government.
 - (b) Tax on any trade or occupation.

Contd.

Note:- Transactions in agricultural produce grown on one's own land and in property shall not be considered to be of a commercial nature.

- (c) Tax on the homesteads of persons who are not required to pay the taxes mentioned in (a) and (b), at rates not exceeding those mentioned therein.
- (2) Since revenue from the above-mentioned sources must be utilized at the discretion of the Village Panchayat for the welfare of the people living within the Village Assembly area, and since the government provides financial grants in addition, the Village Panchayat shall submit to the appropriate office a statement indicating the kind of taxes proposed to be imposed, the rates at which these are to be collected and the total proceeds thereof.
- 31. The Village Panchayat shall make necessary arrangements for collecting the taxes it is entitled to collect and protecting the proceeds thereof, as well as for maintaining accurate accounts in respect thereto.
- 32. (a) The expenses of the Panchayat Court shall be borne from the Village Assembly Fund.
- (b) The fines or fees accruing from court proceedings shall be credited to the fund of the Village Assembly in whose area the case is filed. If the case has been filed within the area under the jurisdiction of a joint committee, such proceeds shall be divided on an equal basis among the appropriate Village Panchayats.
- 33. The accounts of the Village Assembly shall be inspected annually by the District Panchayat.

Chapter V

Supervision Over Panchayats

- 34. (a) The District Panchayat shall exercise supervision over Village Panchayats, while supervision over District Panchayats shall be exercised by the Central Administrative Office.
- (b) The District Panchayat shall supervise the work of Village Panchayats in the manner indicated below. In case the District Panchayat does not appear to be performing this function, the Central Administrative Office shall issue a notice directing it to do so. In case the District Panchayat is unable for any reason to exercise such supervision in accordance with such directive, the Central Administrative Office itself shall conduct such supervision.

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- (1) Inspect the movable and immovable assets and accounts and other documents of Village Panchayats.
 - (2) Tender opinions with regard to meetings or agenda of Panchayats and make them act accordingly.
 - (c) In case any Village Panchayat acts beyond its authority or in contravention of this Act, the Central Administrative Office may dissolve it or temporarily suspend its powers.
35. (a) In case any action of the Village Panchayat is likely to cause harm or loss to the public or to endanger the life of any person or to lead to disturbances anywhere, the District or Central Administrative Office may prohibit it from taking such action.
- (b) In case the District Administration Office takes action under Sub-Section (a), it shall explain the reasons therefor and suspend the functions of the Village Panchayat and notify the appropriate Central Administrative Office accordingly.
36. In case any of the functions suspended under Sub-Sections (a) and (b) of Section 35 must be completed urgently, the office issuing such order of suspension may direct the committee of the Village Panchayat or employees of such institutions to complete such particular function. The Village Panchayat, its committee and their employees shall be under obligations to discharge such functions and shall not refuse to do so.

Chapter VI

Penalties And Rules

37. In case any person performs any action in contravention of this Act, he shall be awarded the prescribed penalty, or else he shall be fined with an amount ranging from Rs 0.04 to Rs 10.00. In case he commits the same offense again, he shall be fined with Rs 1.00 on each count in addition.
38. In case it is required to prevent any offense other than those mentioned in this Act from being committed by any person, punishment shall be awarded in accordance with Section 37 after framing rules in respect thereto.
39. (a) In case any person damages any goods, irrigation channels, fences, lamp-posts or any other minor property in the custody of the Village Panchayat, or causes this to be done, he shall be punished with a fine not exceeding Rs 10.00
- (b) Loss or damage caused in the manner mentioned in Sub-Section (a) shall be recovered from the person responsible therefor or he shall be directed to restore the damaged property to its original condition.

40. In case any person does not do any work which he has been directed to do by the Panchayat by means of a written order according to Panchayat rules or in case he does any work which he has been prohibited to do, the Panchayat itself may undertake such work and realise the expenses involved therein from the defaulter, and, in addition, punish him with fines under Section 37.
41. The written documents issued by the Village Panchayat or the Panchayat Court shall not be returned under any pretext.
42. (a) In case any person feels aggrieved over any action performed or ordered by the Village Panchayat, he may file complaints at the District Panchayat within 30 days. The District Panchayat may commute, enhance or remit the penalties awarded by the Village Panchayat.
(b) The Central Administrative Office may, if it so deems proper, extend the time-limit for filing complaints prescribed in Sub-Section (a) by a maximum of 15 days.
(c) In case the complaint is not satisfied with the decision made on the complaint mentioned in Sub-Section (a), he may file an appeal to the Central Administrative Office.
43. In case an appeal is filed against any action ordered or punishment awarded by the Village Panchayat, such action or punishment shall be stayed until the appeal is disposed of.
44. (a) The Chairman or any member or employee of the Panchayat deputed by him may enter into any house or compound alone or in company with other employees for purposes of inspection or any other work authorized under the Act.
(b) But such entry shall be made only between sunrise and sunset.
(c) In case it becomes necessary to enter into the house of any person, this shall be done only after giving a written notice to him in advance of at least 4 hours.
(d) In case women are found to be staying in any part of the house, it shall be entered into only after providing them with adequate time to move to other place under purdah.
(e) The house shall be entered into without prejudice to the customs and usages of its occupants.

45. (a) Complaints may be filed against the Village Assembly or the Village Panchayat, or members or employees of these institutions, or persons employed by them, in respect to the functions performed or caused to be performed by them. Such complaints shall be entertained only if a written notice explicitly indicating the amount of compensation sought and the name and address (of the complainant) is submitted to the Village Assembly or the Village Panchayat or at the offices or served at the residence of members or employees of these institutions or persons employed by them against whom the complaints are to be filed, in advance of two months.
- (b) Complaints mentioned in Sub-Section (a) shall be filed within six months from the date of the cause of action.
46. In case any police or government employee receives information to the effect that any person has acted or caused any action to be taken in contravention of this Act, he shall notify the concerned Village Panchayat accordingly and extend every possible assistance to the members and employees thereof.
47. (a) In case any dispute arises between (two or more) Panchayats, it shall be heard and disposed of by the District Panchayat. In case the District Panchayat is not in session and the dispute must be disposed of as expeditiously as possible, it shall be heard and decided upon by the appropriate District Administration Office, and the Central Administrative Office shall be notified of such decision. In the event of a dispute between the Village Panchayat and the District Panchayat or a Town Panchayat, the matter shall be referred to the appropriate Central Administrative Office.
- (b) In case any party is aggrieved over the decision made by the appropriate District Administration Office, an appeal may be filed to the Central Administrative Office.

Chapter VII

On Matters Relating To Framing Of Panchayat Rules And Articles

48. (1) In case current law is vague or inadequate in any respect, the Village Panchayat may, without prejudice to the objectives of this Act, frame articles providing for the following matters:-
- (a) Prohibition to drink water at any water-spout or make such place filthy; and issuance of notices asking the public to draw water from specified places, explaining the reasons therefore, in the interests of the health of the people living in the Panchayat areas

- (b) Prohibition to let out filthy water in an indiscriminate manner and prevention of accumulation of such water.
- (c) Prevention of damage to main roads or to assets belonging to the Village Panchayat.
- (d) Prohibition to make the Panchayat area dirty and filthy.
- (e) Prohibition to keep goods indiscriminately on the roads and sell them in a dirty or filthy condition.
- (f) Maintenance of ponds, lakes, drains, pastures and playgrounds, funeral places, bathing-ghats, etc and public use thereof against fees.

(2) Articles framed under Sub-Section (1) shall come into force only after these have been approved by the District Panchayat.

- 49. In case it is required to interpret any provision contained in this Act and make inquiries in respect to any other matter relating to Panchayat affairs, the Central Administrative Office shall be notified accordingly and action shall be taken according to its directives.
- 50. In case it becomes necessary to make provision in matters not mentioned in this Act, or to effect some amendments thereto, the Central Administrative Office shall be notified accordingly.

Meetings And Working Procedure Of Village Panchayats

- 51. The Village Panchayat shall hold meetings at least four times in a year. In case the Chairman so deems necessary, or in case one-third of the members of the Panchayat submit a written notice to the Chairman requesting a meeting, the Chairman or the Vice-Chairman shall be under obligation to convene a meeting.
- 52. Notice of meetings of the Village Panchayat shall be sent to every member in advance of 10 days. Such notice shall indicate the date, time and the agenda of the meeting.
- 53. No meeting of the Village Panchayat shall be held unless it is attended by at least one-third of the total members, excluding the Chairman or the person who presides.
- 54. Every member of the Village Panchayat shall attend its meetings. In case he cannot attend a meeting for proper reasons, he shall send a notice to this effect on or before the day when it is due to be held.

55. The opinion of a majority of members on any matter or resolution presented at meetings of the Village Panchayat shall be regarded as the opinion of the Village Panchayat. In the event of a tie, the Chairman may exercise a casting vote. In other circumstances, the Chairman shall have no right to vote.
56. The Village Assembly shall perform, or cause to be performed, functions which it is empowered (to perform) according to the law and regulations in accordance with the opinion of the majority of its members after holding discussions thereon at its meetings.
57. A minute book containing the names of the members attending every meeting of the Village Panchayat, the resolutions approved therein as well as other matters shall be maintained after having signed by every member. The particulars contained in the minute book shall be read out at the next meeting of the Village Panchayat. A copy of every resolution approved at the meeting shall be forwarded to the Central Administration Office and one copy shall be sent to the appropriate District Panchayat within 7 days from the date when it is passed.
58. The Chairman, or in the event of his incapacity, the Vice-Chairman, shall preside over meetings of the Village Panchayat. In case the Chairman is unable to discharge the functions of a presiding officer for any reason, he shall issue to the Vice-Chairman a written order directing him to perform such functions.
59. In case both the Chairman and the Vice-Chairman are unable to attend a meeting of the Village Panchayat held on any day for any reason, and the meeting has to be held urgently, the Chairman may authorize any other member in writing to preside over such meeting. In case any other member presides over the meeting without obtaining such authority, any function performed or caused to be performed therein shall not be valid.
60. Any resolution once passed by the Village Panchayat shall not ordinarily be altered or amended during the next six months. In case it is necessary to amend such resolution, consent of at least half of the members of the Village Panchayat shall be necessary.
61. The public may witness the proceedings of the Village Panchayat with the permission of the Chairman. In case the visit of outsiders to the Village Panchayat is, in the opinion of the Chairman, undesirable, he may prohibit persons other than members from witnessing such proceedings.
62. Government employees functioning within the Village Panchayat area may participate in discussions on the activities of the Village Panchayat with the permission of the Chairman after making a request to this effect. But they shall have no power to vote on any matter.

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63. In case any member, defying the orders of the Chairman, obstructs the debate or discussions at meetings of the Village Panchayat, he shall at first be persuaded by the Chairman not to do so. But if he persists in such defiance, necessary action may be taken against him and he may even be removed from the meeting.
64. A meeting of the Village Panchayat held on any day to discuss any matter may be continued on other days also until a decision thereon is reached. In case the majority of members agree to postpone the meeting for some days, action may be taken accordingly.
65. Every meeting of the Village Panchayat shall hold discussions only on the items listed in the agenda, and no other matter shall be discussed therein. In case it is necessary to discuss any other matter, this may be done if two-third of members of the Panchayat so decide.
66. In case any member of the Village Panchayat absents himself from three consecutive meetings of the Panchayat without giving proper reasons, his seat shall be deemed to have fallen vacant. In the event of such vacancy, a new member shall be nominated and not elected according to the election rules. Such member may stand as a candidate only in the next elections.

Supervision By Central Administrative Office Over Village
Panchayats

67. The Central Administrative Office shall have the power to act as follows in accordance with the relevant regulations:
 - (a) To institute a Village Panchayat in any area, prescribe or alter its boundaries, or temporarily suspend an existing Village Panchayat or dissolve it altogether and establish a new Village Panchayat.
 - (b) In the event of the temporary suspension of any Village Panchayat, to appoint a person to discharge its functions.
 - (c) To issue orders to Village Panchayats to finish any work being done by it under this Act within a specified time-limit, and in the event of its failure to complete such work within the specified time-limit, to depute other persons to complete it and recover the expenses involved in such work from the Village Panchayat Fund.
 - (d) To hear and decide on petitions, if any, filed by any member expelled under Clause (f) of Section 8, to the effect that he had been unjustly removed from membership.

- (e) To remove any member, even if he may not have been expelled by the Village Panchayat, in case he misuses his position in such a manner as to cause harm to the public.
- (f) To permit any member expelled from the Village Panchayat to stand as a candidate again in the elections.
- (g) To approve the budget submitted by the Village Panchayat or to have it revised by the Village Panchayat itself, if so found necessary, or to approve it after effecting changes therein itself.
- (h) To have the budget and accounts of the Village Panchayat audited through an auditor,
- (i) To permit two or more Village Panchayats to form a joint committee if they so desire, or at its own discretion.
- (j) In the event of any part of the Village Panchayat being amalgamated with another Village Panchayat, to determine the amount of assets or liabilities of the former to be transferred to the Village Panchayat into which it is merged, and then hand over charge of such assets or liabilities to the latter.
- (k) In the event of any Village Panchayat being merged into another Village Panchayat, to declare the property, assets and liabilities of such Panchayat as belonging to the Panchayat into which it is merged, and direct the latter to assume responsibility for performing all functions and incurring expenses as required to be done in the former's area.
- (l) To frame rules in respect to the collection of taxes, fees, dues, etc., which the Village Panchayat is empowered to impose, and in the event of any defect being noticed in such taxes, dues, fees, etc., to order the Village Panchayat to rectify the same, or to withhold collection thereof for any reason, or to exempt any person from payment of such taxes, dues, fees, etc.
- (m) To hear complaints against any taxes or fees imposed or orders issued by the Village Panchayat.
- (n) To depute officers to inspect the work or documents of the Village Panchayat or to procure, for the purpose of inspection or scrutiny progress reports, statements or accounts of income and expenditure from the Village Panchayat, or any other documents in its possession.
- (o) To amend or repeal any rules or articles of Village Panchayats and revoke any orders issued by employees thereof.

- (p) To provide loans to Village Panchayats, or to permit any Village Panchayat to obtain loans from the public or any agency, if so deemed necessary, and to prescribe the rate of interest on such loans, the time-limit for repayment thereof, the number of instalments in which the loan is to be repaid, as well as the amount to be reserved for redemption of the loan every year, and the purposes for which the loans are to be utilized.
- (q) To delegate such other powers as may be necessary, frame rules and articles, or withdraw any powers delegated to Panchayats.
- (r) To ascertain whether or not the District Panchayat has disbursed the funds released by the government among all Village Assemblies and whether or not Village Panchayats have disbursed them in all village, and in case any irregularities are detected in the disbursement of such funds, to insure the proper disbursement thereof.

Aswin 19, 2006
(October 5, 1949)

(Concluded)

Gorkha-Tanahu Treaties, 1763^x

(Abstract translations)

(1) From King Tribikrama Sen to King Prithvi Narayan Shah.

We hereby pledge ourselves to offer Lambajung (i.e. Lamjung) and Kaski to you. If we do not attack them, and, instead, defend them, may we incur the sin of having killed seven Brahmans and seven cows, as well as the wrath of God Panchayana. If we attack these kingdoms, the religious merit of having nurtured seven Brahmans and seven cows shall accrue to us, besides the favor of God Panchayana. This treaty is hereby signed by Gorkha with Tanahu.

Jestha Badi 7, 1820 (May, 1763)

(2) From King Prithvi Narayan Shah to King Tribikrama Sen.

We hereby pledge to offer Tanahu, Bhirkot and Palpa to you. If we do not attack them, and, instead, defend them, may we incur the sin of having killed seven Brahmans and seven cows, as well as the wrath of God Panchayana. If we attack these kingdoms, the religious merit of having nurtured seven Brahmans and seven cows shall accrue to us, besides the favor of God Panchayana. This treaty is hereby signed by Tanahu with Gorkha.

Jestha Badi 7, 1820 (May, 1763)

^xRegmi Research Collections, Vol. 37, PP. 115-116.