Chapter Three

EXPERIMENTS IN DEMOCRACY (1951-55)
I

The Rana-Congress Coalition

The settlement thus arrived at, through the mediation of the Government of India, initiated a new chapter in the political history of Nepal. It symbolized on the one hand the end of the century old prerogative of the Ranas to rule the country according to their arbitrary will and narrow self-interests and on the other, the restoration of the Monarch to his legitimate position as the head of the State. Both these facts were made abundantly clear by King Tribhuvan when he appointed the Rana-Congress Coalition Ministry on 18 February 1951. (1) On that day he issued a historic proclamation which declared that the system under which his ancestor, Surendra Bikram Shah, had handed over the reins of the administration and the Prime Ministership to Jang Bahadur and his successors, in 1846, had been terminated in view of his desire to administer the country according to a democratic constitution to be framed by the elected representatives of the people themselves. (2)

(1) See Gorkhapatra (Kathmandu), 51 (5 Fagun 2007 Bikram Samvat) 1.

(2) Ibid.
It stated that until such a constitution was framed, an interim council of ministers "containing popular representatives" would work to "assist and advise" the King in the task of administration. (3)

As if to make the King's position more secure the proclamation strictly limited the scope and authority of the new Council of Ministers. It laid down that the Ministers would hold office during the pleasure of the Monarch and would remain collectively responsible to him for their actions. (4) It was further made obligatory upon the Council to communicate to the King its decisions pertaining to the administration and furnish him with such information as he might call for from time to time. (5)

Three Parties in Politics

Thus constitutionally what took place in 1951 was not a revolution but a restoration. But the full implications of this fact were neither understood by the Rana group nor by the Nepali Congress. Both had come to accept the "Delhi Deal" (6) under pressing circumstances, though later events proved that the forced association of the two groups was neither workable nor natural. The Nepali Congress, which had declared that it would accept nothing short of complete overthrow of the Rana autocracy, accepted the cease-fire because it felt that if it did not do so both the King

(3) Ibid. For composition of the Council of Ministers see Appendix I.
(4) Ibid.
(5) Ibid.
(6) The Tripartite Settlement of February 1951 came to be called so by all the important political parties of Nepal.
and the Government of India would go against it. But at the same time
the Nepali Congress leaders instinctively realized that any half-
baked settlement, precisely at a moment when the liberation movement
had acquired momentum, would not only cause great resentment among
their followers but weaken their own position as against Ranas.
In order, therefore, to avoid general defection on part of the ranks
that they adopted an uncompromising stand against the Ranas from
the very outset. Instead of working for the success of the new
arrangement, the Congress Ministers sought to convince their
followers that they had entered the Government in order to wreck the
Rana citadel from within.

The Ranas, on the other hand, failed to change their old
psychology. They remained inconvertibly distrustful of the popular
elements and strove, in the face of bitter opposition, to maintain
their traditional rights. But the Ranas were still less united in
their purpose than the Congress leaders and even though they were
ready to resist, at each step, any new measure which affected their
interests even remotely, they failed to put up a combined fight
against the Nepali Congress. The hostility of some 'C' class Ranas
who were excluded from the succession roll became too unmanageable
for Prime Minister Mohan Shamsher to cope. (7) In the Council,
he lost a valuable supporter when his brother, Defence Minister
Babar Shamsher, left for India for medical treatment. Later two

(7) Before the formation of the Coalition Cabinet, some
disgruntled Ranas demanded that the Ministers representing the Rana
group should be elected, not nominated by the Prime Minister.
See The Hindu (Madras), 25 January 1951.
other Rana nominees in the Ministry, Nripa Jang Bahadur and Yagna Bahadur Basniat, crossed over to the Nepali Congress side. 

As the two groups came into clashes over minor matters, the King sought to strengthen his position by gaining access to the traditional instruments of power in the form of the army, the police and the administrative machinery. At a meeting of army officers and men, held in March 1951, the King assured the army personnel that their rights and welfare would "occupy the first place in his mind." (8) He exhorted them to remain loyal to the Crown inspite of the changes in the Government. (9)

**Disruption and lawlessness.** Meanwhile, the law and order situation began to deteriorate dangerously in the districts. In the villages armed bands of dacoits roamed freely while the terror-stricken *Bada Hakims* (district governors) left their headquarters to flock to the capital. (10) The entire Terai region was in ferment as those who had swelled the ranks of the Congress *Mukti Sena* refused to lay down arms inspite of the repeated appeals of their leaders. The situation in Western Terai grew worse as K. I. Singh and his men still held the banner of revolt. In order to curb his activities and bring under control the panic on the Indo-Nepalese border, a combined military operation of Indian armed constabulary and Nepal State troops was carried out in that area.

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(8) *Gorkhapatra*, 51 (22 Fagun 2007 B.S.) 1.

(9) Ibid.

(10) Some interesting glimpses of these troubled days can be found in Hari Prasad Pradhan's "My Experience of Nepal Judiciary," *The Commoner* (Kathmandu), 3 October 1959.
within a week of the formation of the Coalition Government. The revolt was soon suppressed and about 358 rebels, including Dr. K. I. Singh, were rounded up during the operation. (11) Singh was lodged in the Bhairawa jail from where he escaped on 11 July 1951 to reorganize his disbanded forces. (12) He was, however, rearrested on 10 August and sent to Kathmandu where he was interned at the Singha Darbar as a state prisoner.

Though the situation in Western Terai was brought under control, the over-all political situation in the country was far from satisfactory. The Kirantis in the Eastern Hills assumed a threatening attitude towards the Central Government. Serious troubles brewed in Nepalganj, in Western Terai, where dissensions among the Congress ranks led to violent clashes. (13) It was further reported that 15 separate gangs of about 1,000 persons had let loose a reign of terror in the towns of Taulihawa, Thanda Nagar, Bahadur Ganj and Keilabasa. (14) The situation grew so much out of control that the Nepal Government was forced to invite for a second time, in April 1951, the Indian troops to quell these lawless elements.

(11) The Hindu, 23 February 1951.

(12) Singh received unexpected support from the village folk who regarded him as their hero. The Government, however, declared him a bandit and put a prize of 5,000 rupees for his re-arrest. See Grisma Bahadur Devkota, Nepalko Rajnitik Darpan (Banaras, 1960) 54-6, and Kashi Prasad Srivastava, Nepal Ki Kahani (Delhi, 1955) 175-7.

(13) Gorkhapatra, 51 (10 Chaitra 2007 B.S.) 1.

(14) Ibid.
Birth of Anti-Indian feeling. But the presence of Indian troops in Nepal caused great resentment at Kathmandu. Those elements who had, from the very outset, opposed the 'Delhi Compromise' charged the Government of utter imbecility and short-sightedness. The conservative Ranas who had never given up reviling the Nepali Congressmen as foreign agents started a campaign to fan anti-Indian feelings in Nepal. The extremist elements in the Congress and other parties, especially the Praja Parishad and the Communist Party, unleashed a powerful agitation to unmask the real character of the Coalition which they described as

a puppet government formed to follow the dictates of Nehru Government and to put a brake on the growing movement of the peoples of India, China and Nepal. This fact is proved by every action taken by the Government at the present moment. In every Department the Nehru Government has stepped to interfere, and the appointments of all the Ministers, including that of the Prime Minister, are made by the Nehru Government. (15)

The first overt expression of the anti-Indian feeling was observed in the last week of April 1951 when a dispute between Indian employers and Nepalese workers at Birganj suddenly flared up into a small-scale riot. The property of several Indian nationals was looted and a crowd, about 10,000 strong, demonstrated against the alleged practice of hoarding and black-marketeering indulged in by the Indian shop-keepers. (16)

(15) Jatiya Janatantrik Samyukta Morcha Ko Ghosanapatra (Pragatisil Adhyayana Mandal, Kathmandu, 1951) 3.

(16) Gorkhanaptra, 52 (2 May 1951) 1, 4.
Interim Constitution of 1951

On 30 March 1951, the Council of Ministers adopted, with the approval of the Monarch, the Interim Government of Nepal Act, 2007 (1951 A.D.) which came to be generally called the Interim Constitution of Nepal. (17)

The main purpose in adopting a working constitution at this time seems to have been to bring some semblance of order in the administration and to put an end to the acrimonious disputes between the Congress and the Rana Ministers regarding their respective rights. In view of the suspicions harboured by the two groups about each other's intentions, a definition of rules and regulations according to which the Interim Government was to work became very necessary. Moreover, as the administration had been so long carried on, more or less, in accordance with the Maharaja Prime Minister's wishes, there was no administrative principle on which the new Government could work until it framed its own rules. Finally, the re-emergence of the King as real executive head of the State necessitated a clear definition of his position and powers in relation to the Prime Minister and other arms of the Government.

In reality, therefore, the Interim Government of Nepal Act aimed at a drastic curtailment of the former powers of the Prime Minister. As this was the immediate objective of both King Tribhuvan and the Nepali Congress, they supported the Act. The

(17) Published in the Nepal Gazette (HM Government, Kathmandu), 1 (4 Bhadon 2008 B.S.) 1-14. Subsequent reference to this Act is based entirely on this official Nepali version.

As the Act was given the force of a Constitution, its provisions have been referred to as Articles, not Sections.
King gave his approval to the Act because it recognized, in principle, the supremacy of the Monarch in State affairs. The Nepali Congress supported the King's constitutional leadership because that necessarily implied a heavy shearing of the powers of Mohan Shamsher as Prime Minister.

Directive Principles of State Policy. In a sense, the Interim Constitution marked a great advance on the state of affairs which the Ranas had left as a legacy. The Constitution began with a long series of Articles containing Directive Principles of State Policy. (18) It was in this part that one could see almost a bodily transference of Parts III and IV of the Indian Constitution dealing with Fundamental Rights and Directive Principles of State Policy. Thus Article 3 of the Act stated that it would be the duty of the State to promote the welfare of the people by securing a social order "in which justice, social, economic and political shall inform all the institutions of national life." The well-known principle of maximum good for the maximum number was reasserted Article 4, and mention was made of organizing the village Panchayats as "units of self-government" Article 5. Article 9 provided that the State should secure a uniform civil service, while Article 12 made it obligatory on the part of the State to promote "international peace and security," "just and honourable relations between nations," to foster respect for international law in inter-State relationships, and to settle disputes by

(18) Chapter II, Articles 3-21.
arbitration. Like the Indian Constitution, the Act also assured, within the limits of national peace and security, the rights of the citizens to freedom of speech and expression, freedom of assembly, association and movement in all parts of the kingdom, and the right to private property and practice of any profession or business \[\text{Article 16 a-g.}\]. The fundamental rights of protection from illegal arrests, of self-defence and of personal liberty "except according to the procedures established by law or rules made by the Government for the public good, or for the maintenance of public order, or the security of the State" were guaranteed \[\text{Articles 17 and 18.}\].

Obviously, these were highly ambitious aims and objectives which the Interim Government had set before itself. Against the background of the general state of lawlessness, administrative chaos and limited resources of the Government, these directive principles, indeed, appeared somewhat utopian. Perhaps, this happened because of the overenthusiastic imitation of the Indian Constitution by its framers which made them lose sight of the real conditions existing in their country.

Nevertheless, the statement on the Directive Principles of the State served an important objective. More than anything else, it expressed the firm determination of the non-Rana members in the Government to break the tradition of oppressive rule and to guide the State on modern lines of social equity, justice and political freedom. Considering the stark traditions of misrule, the Constitution was a landmark in Nepalese history. It was in fact a political manifesto of the emerging generation rather
than a set of dry rules which the Interim Government gave to the people.

**Extension of Royal Authority.** It was, however, in laying down the rules governing the executive, legislative and judicial wings of the Government that the Interim Constitution made significant advance. It demolished at one stroke the personal absolutism of the Maharaja Prime Minister, as enshrined in the Government of Nepal Act of 1948, and laid down a collective sharing of power by the King and the Council of Ministers. In effect, all powers hitherto enjoyed by the Maharaja Prime Minister were transferred to the King. He was vested with the Supreme Command of the defence forces [Article 21 b] and with powers "to grant pardon, reprieve, respite or remission of punishment, or to suspend, remit or commute the sentence of any person convicted of any offence" [Article 22]. As a logical consequence of the royal proclamation of 18 February 1951, the Act stated that all executive actions of the Government should be taken in the name of the King, and that all executive orders should be authenticated according to the rules to be framed by the King [Article 25]. Full royal authority over the income and expenditure of the state was ensured [Article 27]. Similarly, in the field of legislation, the King was vested with powers to promulgate, at any time, ordinances which would be given recognition as the "law of the country." (19)

(19) Article 29(2). But it provided that every such ordinance

(a) shall cease to operate at the expiration of three months after the convocation of a legislative assembly formed in accordance with the laws under the Constitution;
He was empowered to appoint the Chief Justice and other judges of the Pradhan Nyayalaya (High Court), the members of the Public Service Commission and the Election Commission, and the Auditor General of Nepal "on the advice of his Ministers" [Article 30(1), 33(1), 38, and 40(2)].

Thus, the most remarkable feature of the Interim Constitution was the wide powers it vested in the Crown. In essence, it restored the legal authority of the Crown as the source of all power. For a time the Nepali Congress also welcomed this change because it hastened the collapse of the Rana system. But the investing of the King with such comprehensive power also sowed the seed of later frictions between the King and the Nepali Congress as shall be seen in the following pages.

**Limitations on King's powers.** However, in a guarded way, the Constitution also put certain checks on royal authority. Thus, Article 21(1) clearly stated:

> Whenever anything is proposed to be done by the King, it will be understood, that it will be done by the King on the advice of his Minister or Ministers concerned. (20)

Secondly, the King's legislative powers were partly restricted by the clause that ordinances passed by him would become ultra-vires three months after the coming into session of a validly constituted legislative assembly. (21) Finally, by declaring that the Pradhan Nyayalaya "shall be the highest Court of Justice in the country" [Article 30(1)], and which

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(20) Emphasis added.

(21) See n. 19.
would act as a court of record with powers "to punish for contempt of itself". [Article 31], the Act restricted the Crown's judicial powers. This was, indeed, the most substantial check on the Executive which, as events would show, came into conflict with the King's policy of extending his prerogatives in the later stages.

These inherent contradictions between the executive powers of the Monarch and those of other branches of the Government were not, however, perceived at that time. The forces led by the Nepali Congress were not cognizant of the fact that some day their interests would clash with those of the King. As yet they were too engrossed in a mortal combat with the Rana group to give any attention to the consequential aspects of the Interim Constitution. Their worst fears were aroused by the unreserved violent activities of the Gurkha Dal set up by an extremist section of the Ranas.

The Gurkha Dal Uprising

The drift towards political anarchy inside the country encouraged the conservative section of the Ranas to plan the overthrow of the Interim Government by a sudden coup. The acknowledged leader of this group was Bharat Shamsher, the grandson of the Defence Minister. Some of his associates were said to have been in close contact with Mohan Shamsher himself. The activities of these men who formed the Gurkha Dal or the Kukri Dal caused apprehensions in the minds of the Congress Ministers. They suspected that Mohan Shamsher was secretly
encouraging the Dal and thus planning their destruction. As a preventive, B. P. Koirala (Home Minister) passed an order, in March 1951, declaring illegal all organizations which exploited communal tensions to create political disorder and violence. (22)

In accordance with this order, Bharat Shamsher and some other leaders of the Dal were arrested on 11 April 1951. This touched off a sudden uprising on the next day when a violent mob led by the Dal workers broke open the jail gates and secured the release of their leaders. The mob then attempted to incite the regular troops to start a general uprising, but failing in this, marched towards the house of the Home Minister. The situation might have become out of control but for the timely arrival of an armed contingent and the rearrest of the Dal leaders. (23)

Thus the uprising was quickly suppressed. But the incident of the Gurkha Dal threw enough light on the precarious condition

(22) Gorkhapatra, 51 (19 Fagun 2007 B.S.) 1.
(23) The official account of the incident was given in the Gorkhapatra as follows:

At about 3.0 P.M. (12 April 1951) a gang of 40-50 persons, armed with Kukri, released Bharat Shamsher from the jail, and proceeded towards the parade ground to excite the armed forces. Bharat Shamsher's irresponsible utterances fired the imagination of a section of his listeners who marched towards the house of the Home Minister and, on the way, began to loot and molest persons indiscriminately. The Home Minister and his colleagues and friends were then sitting in one of the rooms. At the end, B. P. Koirala opened fire and the crowd was dispersed. Meanwhile, reinforcements arrived from the Mukti Sena and other peoples. Bharat Shamsher and others were rearrested.

Gorkhapatra, 52 (3 Baisakh 2008 B.S.) 1, 4.

Bharat Shamsher, however, told this writer that he gave himself up to the police of his own accord. He also asserted that if he had so desired, he could have staged a coup d'etat on that very day.
of the Coalition. The fears of the Nepali Congress regarding the motives of the Ranas were fully substantiated. It demanded immediate removal of Mohan Shamsher from the Council and asked for the formation of a homogeneous cabinet. (24) The alleged complicity of some of the guards of Defence Minister Babar Shamsher in the conspiracy even aroused the suspicions of the King. As a safety measure, he therefore assumed the powers of the Supreme Commander of the armed forces so far held by the Prime Minister and sent his own bodyguards to take charge of the armoury at the Singha Darbar. (25) The King also declared a general raise in the salary of army officers and soldiers and praised them highly for their loyalty to the head of the State inspite of grave provocation. (26)

Fall of the Coalition

Cabinet Reshuffle. For sometime the Rana group countered the Congress demand for a homogeneous cabinet by saying that since the interim arrangement was made through India's good offices, the demand for its dissolution should be handled in the same manner. Perhaps, the Ranas adopted these tactics with a view to discredit the Congress as a stooge of the Indian Government. However, after intense wrangling and heated exchanges between the two groups, the issue was referred to the Indian Prime Minister for mediation. The talks between the Government of India and the spokesmen of the Congress and the Ranas were resumed at Delhi

(24) Gorkhanatra, 52 (4 May 1951) 1, 4.
(26) Devkota, n. 12, 87-8.
during the second week of May 1951. On 16 May, after a joint meeting of the two groups with the Prime Minister, the Ministry of External Affairs, Government of India, issued a statement to the press stating that "There was complete agreement that the Nepali Cabinet should work in a co-operative and progressive spirit for the political development and economic prosperity of Nepal." (27) In effect, it was given out that the Indian Government favoured the continuation of the interim arrangement, though it suggested that a popular assembly in the nature of "little Parliament" (28) should be set up to give the Coalition a more representative form.

In view of the agreement reached at Delhi, King Tribhuvan issued another proclamation on 10 June 1951 reconstituting the Council of Ministers on the old basis of parity between the Ranas and the Nepali Congress, with minor changes in its personnel. (29) Also, the principle that the Cabinet would continue during the pleasure of the Monarch and would remain collectively responsible to him was reiterated. (30)

Other Problems and Factors. These changes announced by the King, however, failed to bring about any desirable improvement in

(27) The Hindu, 17 May 1951.
(28) Ibid., 12 May 1951.
(29) Only two Ministers Babar Shamsher and Bharat Mani Sharma were dropped to be replaced by General Singha Shamsher and S. P. Upadhyay.
(30) For full text of the royal proclamation see Gorkhapatra, 52 (11 June 1951) 1.
the administration. The fact that the Ministers had to go every now and then to India to settle their differences gave currency to the belief in Kathmandu that India was interfering too much in the internal affairs of the country. A section of the Nepali Congress itself gave vent to this feeling when the Party's weekly official organ, Nepal Pukar, stated icily:

The lesson of the Delhi Conference is that the affairs of Nepal should be settled by the Nepalese themselves. The Nepali Congress leaders should keep in mind that the people wait to see how they deliver the final blow on the Rana rule. If this is not done their prestige would suffer to the dust. (31)

Meanwhile a number of heterogeneous political factions led by the Nepal Communist Party and the Praja Parishad formed a united opposition front called the Jatiya Janavadi Samyukta Morcha (People's National United Front) which advocated the establishment of a "People's Government" (32) by defeating "the national feudal lords, Indian capitalists and the imperialist schemers in Nepal." (33)

The resentment of the ranks and the disruptive tactics of opposition groups brought home the realization to the Congress leaders that further association with the Ranas in the Government would prove disastrous. To regain their prestige, the Congress

(31) Nepal Pukar (Kathmandu), 2 (8 Jaith 2008 B.S.) 2.


(33) "Nepal ra Bharat Ko Samyukta Karwaii," Jagaran (Kathmandu), 23 (4 Sravana 2008 B.S.) 3-5. For details on the formation of the Front see Chapter Six and Appendix II.
Ministers took the task of shattering Mohan Shamsher's leadership more seriously. B. P. Koirala himself began reorganizing the old Mukti Sena into a people's militia, to be called the Raksha Dal, to counter-balance the military threat of the Ranas. As the state army was officered almost entirely by the Ranas' men, it also watched with suspicion the activities of this para-military force.

Meanwhile, the food situation in Eastern Terai grew desperately out of control. The irregular conduct of Bada Hakims, the mismanagement and hoarding of food-stuff by shop-keepers and the failure of the Government to send timely relief to the districts were responsible for a new series of violence that convulsed these areas.

In the midst of these disturbing developments, King Tribhuvan announced on 2 October the formation of an Advisory Assembly of 35 persons "to advise and assist the Government." (34) This announcement at once touched off a stormy controversy. Mohan Shamsher questioned the King's right to form the Assembly without either consulting him or the Council. (35) Constitutionally, the Prime Minister's objection was well made, but the Congress group seized this opportunity to blame him for challenging the King's authority. In retaliation, the Ranas deliberately sought to discredit B. P. Koirala in the eyes of the public. Their opportunity came rather soon when on 6 November 1951, a group of

(34) Gorkhapatra, 52 (3 October 1951) 1.
(35) Devkota, n. 12, 105-6.
Raksha Dal soldiers opened fire on a procession of students at Kathmandu. The incident was used by Mohan Shamsher as an issue to blame the Home Minister. (36)

The crisis came to a head when B. P. Koirala declared over the Nepal Radio, on 10 November 1951, that the "reactionary forces" (37) were making a bid to stage a come-back. At the same time he tendered the resignation of the Congress Ministers in the Council. His move seems to have been guided by two tactical considerations - first, owing to the uproar raised at Kathmandu over the firing, he found it inadvisable to continue in the Government; secondly, by demanding the formation of a fully popular government, he also forced Mohan Shamsher to resign. (38) Two days later, in spite of initial resistances Mohan Shamsher submitted the resignation of his group. On 16 November, King Tribhuvan constituted a new Cabinet composed of 8 Congress Ministers and 6 Independents headed by Congress President M. P. Koirala as Prime Minister. (39)

Thus the experiment in coalition between the forces of conservatism and progress failed in Nepal. Considering the hurried manner in which the compromise settlement was reached at Delhi, it could be said that it was unworkable from the very

(36) Ibid., 110-1.
(37) Gorkhapatra, 52 (12 November 1951) 1.
(38) B. P. Koirala confided to the present writer that he resigned in 1951 because there were too many pulls and tensions, "The Ranas were very powerful, the King was also active and there was India always too pressing to become the peace-maker. All these proved too much for the Nepali Congress to bear and the Coalition broke down."
(39) The Ministers were
beginning. For neither the Ranas nor the Nepali Congress leaders accepted the settlement with a mind to work it. The Congress ranks from the outset were opposed to it. Other parties which were not given representation in the Government set themselves to the task of wrecking it from outside. The formidable threats of the conservative Gurkha Dal and the disruptionist tactics of the Communist-led United Front weakened the divided authority of the Government. Further the inability of the Government to restore law and order shook popular confidence in the democratic experiment. Adventurist elements exploited the situation to inculcate among the people a feeling of defiance to authority. As a result the Coalition broke down.

II

The Nepali Congress in Power

In many ways the new Ministry was a great improvement upon the previous one. It consisted of eight Congress Ministers

Cont'd. from last page

M. P. Koirala (Prime Minister, Home and External Affairs)
S. P. Upadhyay (Police, Jail and Broadcasting)
Kesar Shamsher J. B. R. (Defence)
Subarna Shamsher J. B. R. (Finance)
Naradmani Thulung (Health and Local Self-Government)
Mahendra Bikram Shah (Industry and Commerce)
Bhadra Kali Misra (Forest and Transport)
Mahabir Shamsher J. B. R. (Development and Public Works)
Ganeshman Singh (Food, Land-reform and Agriculture)
Khadam Sing (Parliament)
Bhagwati Prasad Singh (Law)
Nara Bahadur Garung (Dy. Minister)
Dharma Hatna Yemi (Dy. Minister).

The underlined names were Independents directly nominated by the King. See also Appendix I.
and six Independents nominated by the King. The Congress majority in it gave the Government a drive and a sense of direction which the Coalition Government had lacked. In his policy directive the King also laid down the following tasks before the new Ministry:

1) to ensure civil rights of the people;
2) to work for the independent functioning of the judiciary without undue interference from the Executive;
3) to recruit men in the Public Service on the basis of merit; and
4) to arrange for the holding of the general election, as far as possible, by the end of 1952. (40)

Problems of the Party in Power

But, at the same time, the new Government was beset with graver difficulties. In the first place, the appointment of M. P. Koirala as the Prime Minister antagonized the ranks of the Nepali Congress. Their loyalty was still pledged to B. P. Koirala who was not given a place in the Cabinet. It also appears that prior to the appointment of the Cabinet, King Tribhuvan held a series of talks with the Congress leaders and made it plain to them that he would have M. P. Koirala alone as the Prime Minister. (41)


(41) This is what K. P. Bhattarai, who was then the Congress General Secretary, told the present writer.

When the Coalition Ministry resigned, the Congress Working Committee proposed that B. P. Koirala should head the new Government. But Mahabir Shamsher who was very intimate with King Tribhuvan informed us that the palace would like to have only M. P. Koirala as the Premier. We refused to believe this and sent a delegation of three members to meet the King. Tribhuvan definitely suggested M. P. Koirala's name and warned that, in case this was not accepted by the Party, he would impose direct rule with the help of General Kesar Shamsher. We had no option but to acquiesce.
Whatever might have been the reasons for Tribhuvan's choice, there is no doubt that it brought dissensions in the Congress Party. Later, at a political conference held in December 1951, B. P. Koirala's followers made the allegation that it was on the advice of the Indian Ambassador in Nepal that the King had decided to keep B. P. Koirala out of the Ministry. (42)

The opposition of his own partymen weakened Prime Minister Koirala from the very start. Later, a strong section of the Nepali Congress demanded the separation of the post of the Prime Minister from that of the Party President, - a demand which brought to the fore the personal rivalries between the two Koirala brothers.

Alongside these intra-party differences the new Ministry faced combined opposition of other parties which began to grow like mushrooms all over the country. The aforesaid Samyukta Morcha led by the Communists began to hurl charges that the Government survived because of India's help. On the other hand, subversive activities of the Gurkha Dal fanned unrest in the districts around Kathmandu.

The worst thing to happen was that the people lost faith in the ability of their rulers. Law and order in many districts sank to a state of complete anarchy. In the Terai, dacoities and murders took place in broad daylight, while further east in the

(42) See Sikshan Sibir Ka Udghatan Samaroaha (Nepali Congress Maddhya-Kantipur Sakha, Kathmandu, 1951) 4-6. At the Conference Balchandra Sharma, one of the top Congress leaders said:

I fear that the behaviour of the Indian representatives is not good. I believe these are individual mistakes, not the policy of the Government of India. ... I think that the Indian officers are going beyond their powers in Nepal.
Kiranti country the authority of the Centre ceased to exist. The situation in the districts of Gorkha and Pokhara grew particularly alarming. As if to add to these difficulties, the value of the Nepali currency went dangerously low which hit hard the interests of the business community. Finally, among the 8,000 men of the Raksha Dal, which had been built up as a para-military force, unrest reached a breaking point. For a long period these men had waited for a final settlement regarding the regularization of their service and salary, but the fall of the Coalition and particularly the exclusion of B. P. Koirala from the Ministry, who had at one time taken great pains to reorganize them, dealt hard blows of disillusionment for them.

The Raksha Dal Uprising

The storm broke out when two leaders of the separatist Kiranti movement, A. P. Kharel and Ram Prasad Rai, who also enjoyed the support of the eastern wing of the Raksha Dal, were arrested and kept along with Dr. K. I. Singh at the Singha Darbar. The Raksha Dal men had been seeking for a leader who could provide them an effective leadership. In K. I. Singh they found such a leader who as an ex-serviceman held an emotional appeal for them.

Hence, on the night of 20 January 1952, armed bands of the Raksha Dal stormed the Singha Darbar and released K. I. Singh and other prisoners. At the head of a force numbering about 12,000, Singh captured the Singha Darbar, the treasury, the arsenal, the airport, and Nepal's only broadcasting station. Simultaneously, he disrupted telegraphic communication with India. For some hours, the fate of Nepal hung uncertainly as armoured jeeps with workers
belonging to the Communist Party, *Rashtriya Mahasabha* and the Dal moved round Kathmandu raising slogans of revolution. (43)

Meanwhile, on behalf of the King, Ganeshman Singh and Tanka Prasad Acharya met K. I. Singh to ascertain his demands. Through them Singh sent the following demands to the King for immediate implementation:

1) formation of an all-party government;
2) an all party conference to formulate an agreed minimum programme for implementation;
3) establishment of diplomatic relations with all neighbouring countries;
4) settlement of all matters through peaceful means;
5) formulation of a Five Year Plan of economic development, and
6) an assurance by the King of acceptance of all the above demands. (44)

If K. I. Singh had any definite political objectives, they were not made clear from the above list of demands. If he was a not supporter of the Communists, why did he demand clearly their representation in the proposed government? (45) Besides, it is also surprising that he did not seek any special assurance from the King about the status of the Raksha Dal men who were instrumental in securing his liberty. In contrast, the regular state forces stuck fast to their posts and advanced firmly to quell

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(43) See Devkota, n. 12, 56-61. For official account of the revolt see *Nepal Gazette* (14 Magh 2008 B.S.) 1, 3.

(44) Ibid., 63.

(45) Later, in 1957, he declared that he never held any truck with the Communists.
the revolt. For some hours fighting continued between the two parties. Finally, Singh fled the capital with 37 of his trusted companions. He was later reported to have reached China through Tibet.

Thus ended another revolt within a year of the fall of the Rana regime. The participants of the revolt were disarmed and arrested. On 23 January King Tribhuvan declared a state of emergency in the country and curfew was imposed in the capital. A few days later the Nepal Communist Party and the Rashtriya Mahasabha which had taken active part in the revolt were declared illegal. (46)

The abortive coup threw light on two aspects of the developing political trends in Nepal. First, it showed that in the midst of revolts and disturbances, only the King remained the symbol of political stability. Secondly, the loyal role of the Army impressed upon the mind of the King the necessity to secure its adherence to the Crown more permanently. For this reason, the King again ordered a general raise in the salary and allowances of the armed forces and invited an Indian Military Mission to reorganize the Nepalese Army. (47)

Formation of the Advisory Assembly

King Tribhuvan also felt the necessity of broadening the basis of his Government. In April 1952 he reconstituted the old Advisory Assembly with 21 additional members. He also promulgated

(47) Devkota, n. 12, 136-7.
an *Ain* (law) amending the Interim Constitution and adding a new chapter to it containing provisions regarding formation, composition and powers of the Assembly. (48)

The new *Ain* laid down that the number of assembly members should be fixed by His Majesty and their selection should be made from among the "proved citizens of Nepal." (49) The Assembly was to hold its sessions at least twice a year provided that no more than six months elapsed between the two sessions. (50)

But the scope of the Assembly was very limited. Though it was given the right to discuss any matter relating to the Government, the following subjects were excluded from its province:

1) matters on which discussions might prove prejudicial to the friendly relations of the Nepal Government with other powers;

2) the personal conduct of the King and of *other* members of the royal family;

3) matters which may not be in public interest to disclose e.g., movement and posting of troops; and

4) vote of censure against any Minister. (51)

The Assembly was debarred from passing vote of no-confidence in the Government, but it was laid down that no bill or measure

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(48) This was called the *Interim Government of Nepal Act (Second Amendment)* 2009 B.S. [1952]7. Reproduced in Dhundi Raj Sharma, *Parliament ra Salshakar Sabha* (Nepal Academy, Kathmandu, 1960) 244-55.

(49) Section 28 (1 a), *ibid.*, 245.

(50) Section 28 (13 a), *ibid.*, 249.

(51) Section 28 (19), *ibid.*, 251. Also in *One Year of Democracy in Nepal* (Directorate of Publicity, HM Government, Kathmandu, 1952) 18.
could be placed before the King for his assent until it had secured the approval of the Assembly. (52) The prerogative of the Monarch to refuse assent to a bill was, however, vouchsafed. (53) Further, the Assembly had no right to discuss the royal privy purse or any matter relating to it. (54)

On 4 July 1952 the Advisory Assembly was inaugurated by King Tribhuvan. In his speech the King declared:

> This day will occupy an important place in the nation's history. It has been my long standing desire to see that the administration of the country is conducted according to the desire, wishes and decisions of the people. I have great pleasure to find that dream fulfilled, step by step, through the co-operation of all. It is my firm wish to take the country on the path of progress, based on the principles of parliamentary democracy and strengthened by the efforts, goodwill and co-operation of all. (55)

**Split in the Nepali Congress**

But the differences in the Nepali Congress, which had been temporarily resolved at the Janakpur Conference held in May 1952, began to widen at this particular moment. (56) The trouble started when the non-ministerial group in the Party, headed by B. P. Koirala,

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(52) Section 28 (20), *ibid.*, 252.
(53) Section 28 (23), *ibid.*, 252.
(54) Section 28 (29), *ibid.*, 253.
(55) *ibid.*, 305. Emphasis added. Excerpts of the speech can also be found in *Nepalese News Bulletin* (Kathmandu), 1 (July 1952) 79.
(56) For details see Chapter Six, 213-4.
began to suspect that the Prime Minister was trying to run his Government on lines different from those of the Party. In the Cabinet at least three Ministers (57) were in sympathy with the non-ministerial wing and they did not hesitate to express their disapproval of the Prime Minister. On the other hand, the non-Congress Ministers who represented powerful vested interests in the Cabinet pulled the Government in different directions.

**Attitude of M. P. Koirala.** All this resulted in a complete lack of co-ordination in the Cabinet which forced the Congress Parliamentary Board to ask the Prime Minister to reconstitute his Cabinet. (58) After a period of laborious negotiations between the two groups, the Prime Minister agreed to reduce the number of Ministers from 14 to 7 and also accepted, in principle, the suggestion that the Working Committee (WC) should suggest a new team. (59) Accordingly, the W.C. sent to the Prime Minister on 18 July 1952 a list of names of "colleagues to work under his leadership." (60) But M. P. Koirala refused to accept the list

(57) Ganeshman Singh, Subarna Shamsher and S. P. Upadhyay.

(58) See *The Nepali Congress and the Prime Minister* (Nepali Congress, Kathmandu, 1952) 1.


and contended that the action of the W.C. was "unwarranted and unconstitutional." (61) He claimed that it was the right of the Prime Minister to select his team and it was improper on the part of the W.C. to interfere in the day to day policies of the Government. (62) Refuting these charges, the Congress General Secretary wrote to the Prime Minister

The present Cabinet formed by you alone in its course of nine months rule has not been able to properly administer, and you have yourself said this. This was your responsibility, but the Working Committee had to take upon itself the responsibility of giving a team of ministers under your leadership in view of your acceptance of your failure to carry out your responsibility. (63)

He asked M. P. Koirala to reconsider his decision. But, as the latter failed to reply to this letter, the W.C. sent a mandate to M. P. Koirala to resign along with his colleagues. (64) Only three Ministers - Subarna Shamsher, Ganeshman Singh and S. P. Upadhyay obeyed the directive, but M. P. Koirala demanded that the All Nepal Congress Committee (ANCC) should be convened to resolve the differences. (65) The W.C. did not accept this demand and passed a resolution, on 23 July 1952, calling upon


(62) Ibid., 9.


(65) Letter from M. P. Koirala to the Congress General Secretary, 21 July 1952, Ibid., 12.
M. P. Koirala and the remaining Congress Ministers to resign within 48 hours, failing which they would be expelled from "the active membership of the organization for a period of three years." (66) Following this decision, on 25 July 1952, M. P. Koirala, Naradmani Thulung and Mahabir Shamsher were expelled from the Party. This step of the W.C. was later endorsed by the All Nepal Congress Committee which met during the last week of August 1952.

Constitutionally, perhaps the best course for the Prime Minister would have been to resign at this moment since he ceased to enjoy the confidence of the Party which had formed the Government. Instead, he chose the course of vilifying the Congress. He described it over his radio-broadcast of 25 July as a "party which had lost its own democratic spirit." (67) In retaliation the three outgoing Congress Ministers issued a statement to the press charging M. P. Koirala with fostering "international rivalries" in Nepal, centralizing all powers in his hand and neglecting the formation of a Public Service Commission and an independent Judiciary. (68)

Attitude of the King. During this critical period, King Tribhuvan kept himself aloof from the controversy. But even after the Congress Party had expelled M. P. Koirala he did not dissolve the Ministry. His action seemed to give the impression that he was

(68) Gorkhapatra, 53 (7 August 1952) 4.
determined to continue the Ministry, notwithstanding the vote of no-confidence in it. This attitude of the King seems to have been influenced by two factors, - first, his personal liking for M. P. Koirala and, second, perhaps he entertained the hope all along that M. P. Koirala could win back the support of the majority in the Congress Party. But soon it became plain to M. P. Koirala that he would lose further prestige if he continued in office. Hence, on 6 August 1952, he tendered his resignation stating that he wanted to go to the Mahasamiti (ANCC) to decide the dispute with the Congress High Command "as a common soldier of the Congress and not as Prime Minister." (69) The King accepted his resignation on 10 August and also dissolved, sometime later, the Advisory Assembly. On 14 August he proclaimed the formation of an Advisory Committee of five persons to help him administer the country until a better alternative was found. (70)

III

The Advisory Regime

Multiplication of Parties

The split in the Nepali Congress caused a disturbing situation in the country. It encouraged the process of multiplication of smaller parties and political groups each of which claimed to be the largest political organization in the


(70) For text of royal proclamation see Devkota, n. 12, 196-9. For the names of the Advisers see Appendix I.
country. The earlier prestige of the Nepali Congress began to wane in face of intra-party wrangles and factional rivalries. By the end of 1952, as many as four separate groups emerged from out of the Nepali Congress viz., the largest group led by B. P. Koirala; the Nepali Congress (ad hoc) started by ex-Prime Minister M. P. Koirala which converted itself into the Rashtriya Praja Party in 1953; the Jana Congress of Bhadra Kali Misra and the Congress Socialist Group led by Balchandra Sharma, Kedarman "Byathith" and Kedarmani Sharma. A section of the Congress workers also joined the Nepal Communist Party which, inspite of the ban, made new inroads in the countryside under the name of a peasant organization, the Kisan Sabha.

As chances for the growth of a party-system began to recede, royal control over all branches of administration took a firmer grip. In fact, the formation of the Advisory Committee reflected the determination of the Monarch to run the Government without support or association of the political groups. In a sense, this marked a point of departure from the earlier stage during which the King and the Nepali Congress had worked together to destroy the power of the Rana Prime Minister. This change of front was made all the more obvious by the King's choice of his Advisers. Among them three were high officials of the Army of whom two belonged to the Rana family; one was a member of the old Praja Parishad and the other had held the office of a civil servant under the Ranas for a long time. Apparently, by depending more on army-men the King was trying to secure their complete loyalty towards him at times of crisis.
Changing Role of the Monarch

In confirmation of this changing role of the Monarch in politics, an Act was passed in September 1952, conferring wide range of powers on the Crown which had not been specifically provided by the Interim Constitution. This Act which was named as the Special Emergency Powers Act 2009 B.S. (1952) (71) suspended entire provisions under Chapter 3 (Sections 1 and 2) of the Interim Constitution relating to executive powers of the Monarch and the Council of Ministers. (72) It clearly stated that the executive authority was vested in the Monarch which he could exercise either directly or through officers as appointed by him for that purpose. (73) In place of the constitutional provision that the King should act on the advice of his ministers, it was specifically laid down that he could act in everything on his discretion. (74) He was further empowered to enact such laws and ordinances as he deemed fit under the circumstances. (75) Finally, the Act abrogated all provisions of the Interim Constitution which went against the spirit of the new Act. (76)

This new autocratic note in the Government did not escape the notice of the political parties, but they were too hopelessly

(71) Published in the Nepal Gazette, 2 (24 Bhadra 2009 B.S.) 17-20.
(72) Section 4.
(73) Section 5 (1).
(74) Section 5 (4).
(75) Section 6 (1).
(76) Section 8.
divided among themselves to put up any resistance. Some of them, like M. P. Koirala's ad-hoc Nepali Congress, even supported the royal step in initiating the Advisory regime. (77)

Notwithstanding the dissensions among the political groups which blunted the edge of opposition to the regime, the royal Counsellors showed little inclination to improve the situation. The administration remained as disorganized as before, while the Advisers worked at cross-purposes in their respective departments. The economic situation worsened and the landless labourers in the Terai region broke out to defy the Central authority. Local administration in the districts deteriorated as a result of unseemly quarrels among the old officers and the new incumbents. In March 1953, a new plot was unearthed involving 41 top officers who wanted to overthrow the Government. (78)

As on previous occasions the anti-India agitation was once again launched by the opposition parties. Even the Nepali Congress of B. P. Koirala's group willingly joined this renewed agitation against India. At a meeting held at Kathmandu from 10 to 13 March 1953, the Nepali Congress Working Committee passed a resolution describing the Advisory Regime as "revivalism" which was "making efforts to reintroduce the old feudal system by curtailing the democratic rights of the people." (79) In a separate resolution,

(77) Devkota, n. 12, 202.

(78) The Statesman, 28 March 1953. Some of the arrested persons were members of the disbanded Raksha Dal.

(79) Resolution Passed at the Working Committee Meeting of the Nepali Congress held from the 10th to the 13th March, 1953 (Nepali Congress Central Office, Kathmandu, 1953) 9.
the Working Committee demanded the withdrawal of the Indian Military Mission "in the interest of healthy relationship between India and Nepal." (80) In May 1953 the Nepali Congress launched a campaign in Eastern Terai to demand immediate changes in the land system.

These developments made King Tribhuvan extremely wary. In his New Year's broadcast, he himself admitted that the performance of the regime had not been quite up to the mark. (81) He also promised to constitute a ministry with popular representatives as early as possible and to convene a new advisory assembly. (82) The King also realized that the assumption of direct rule had dangerously involved the Crown in a political controversy. To put a halt to this dangerous drift, he called upon M. P. Koirala to hold negotiations with other parties for the formation of a new cabinet. He, however, made it clear that all ministers in such a cabinet would be holding office in their individual capacity, not as representatives of their parties. (83) But this proposal was not acceptable to the Nepali Congress which suggested that the new ministry should be formed on the basis of minimum programme and collective responsibility. (84) As these negotiations were

(80) Ibid., 6.
(81) Gorkhapatra, 53 (13 April 1953) 1.
(82) Ibid.
under way, the King suddenly announced, on 15 June 1953, the formation of the *Rashtriya Praja Party* Cabinet headed by M. P. Koirala for the second time. (85)

IV

**M. P. Koirala's Rashtriya Praja Party Ministry**

In announcing the formation of the new Cabinet, King Tribhuvan made it clear that since every party or political group claimed itself to be the largest in the country, it was not easy for him to make a selection. (86) But, at the same time, it is difficult to understand what criteria the King followed in entrusting the reins of his Government to Matrika Prasad Koirala whose Rashtriya Praja Party represented but a small assembly of dissident Nepali Congressmen. Obviously, this gave currency to the suspicion in the opposition quarters that the King's choice was made on grounds other than his desire to make the Government more representative. Whether this was true or not, there is no doubt that the King had been all along in intimate relations with M. P. Koirala. (87)

(85) Royal Proclamation of 15 June 1953. *Gorkhapatra*, 53 (17 June 1953) 1. The Ministers were: M. P. Koirala (Prime Minister, External Affairs, Estates Administration and Finance), Maj. General Mahabir Shamsher J. B. R. (Home, Planning, Industry and Commerce, Civil Supplies and Food), Naradmani Thulung (Defence, Customs Revenue and Forest), Tripubar Singh (Local Self-Government, Education, Public Works and Irrigation) and Surya Prasad Yadav (Law and Parliamentary Affairs). See also Appendix I.


Yet, the new Cabinet was so constituted as to make it only an advisory board of the King. Though all the Ministers belonged to the Rashtriya Praja Party, the proclamation had categorically laid down that they would work in their individual capacity. (88) Koirala's position was made more insecure by the fact that some seats in the Cabinet were left vacant to be filled by the King if or when he found it necessary. (89) In September 1953, a Regency Council was constituted on the eve of Tribhuvan's departure to Europe which was empowered to guide the Cabinet in its day to day work. (90)

Apart from these technical difficulties, the Rashtriya Praja Party Government faced many other problems. In the first place, its formation caused great dissatisfaction among all other parties. In a resolution adopted on 21 June 1953, the Nepali Congress warned the nation "that it must be prepared for a most unpopular regime in Nepal." (91) Even the Rightist Rana dominated Gurkha Parishad condemned the Government as a "government of free-booters," (92) and, among other parties, the Nepal Praja Parishad and the Nepali Rashtriya Congress (D. R. Regmi's group) refused to join the Cabinet.

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(88) See the Proclamation of 15 June 1953, n. 85.

(89) Ibid.

(90) Royal Proclamation of 22 September 1953. Devkota, n. 12, 224-8. The King also promulgated the Council of State Act 1953 which stated that all residuary powers would continue to vest in the King during his absence, that the Council could not go against the Cabinet's decision nor could it dissolve the Cabinet and that no change in its personnel could take place without the concurrence of the Prime Minister.


(92) Rashtravani (Kathmandu), 2 (5 July 1953) 2.
Secondly, the law and order situation in the country became such as to thwart all efforts at improvement. The unrest in Western Terai, which had started in the middle of April, took the shape of widespread lawlessness. In the Dhangiri district on the Indo-Nepalese border about 700 armed men under the leadership of Bhim Dutt Pant, described as a follower of K. I. Singh, let loose a reign of terror. The incapacity of the Government was once more exhibited when it was forced to ask for military assistance from India to suppress the revolt. During July 1953 a joint operation by the Indo-Nepalose troops succeeded in rounding up about 270 dacoits. The main culprit, Bhim Dutt was killed on 23 August in an accidental gun-fight near the Dundeldhura district. (93)

But the reappearance of Indian troops in Nepal created an adverse reaction. Almost every political party outside the Government condemned the move and the anti-India campaign was intensified. The great unpopularity of the Government was made evident during the election to the Kathmandu Municipality held on 2 September 1953. Out of the total 19 seats, 5 went to the Communists, 4 each to the Nepali Congress and the Praja Parishad, 4 to the Independents and 1 to the Gurkha Parishad. Not a single seat was obtained by the ruling Party. (94)

The League of Democrats

This defeat of the Rashtriya Praja Party was interpreted by the opposition parties as a vote of no-confidence in the Government.

(93) The Hindustan Times (Delhi), 24 August 1953.
(94) Based on figures given in Nepal Trade Directory (Nepal Trading Corporation, New Delhi, 1959) 30.
Though M. P. Koirala did not accept this view he opened negotiations with other parties with a view to include them in his Cabinet. These talks, however, abruptly broke off when the Government arrested B. P. Koirala at Kathmandu, on 21 September 1953, and served upon him an internment order. In protest, the Nepali Congress joined the Praja Parishad and the Rashtriya Congress to form a united front under the name of the League of Democrats. The three parties issued a joint manifesto demanding the replacement of the Koirala Ministry by "a coalition of democratic parties with a joint parliamentary board to conduct the Government." (95) The manifesto also included a minimum programme based on the "guiding principles" of "nationalism, democracy and social justice." (96) It called for increased economic and technical assistance from other countries without their interference in the administration, Nepal's admission to the United Nations, revision of old treaties, nationalization of Nepalese currency, protection of indigenous trade and industry and implementation of immediate land-reforms. It envisaged the holding of early general elections, the establishment of an independent judiciary, audit and accounts system and introduction of "purity, efficiency and economy" in the administration. (97)

But, though the programme of the League was impressive, the conduct of the constituents of the League did not strike much confidence in it. In fact, Prime Minister Koirala was quite near

(95) The Hindu, 25 September 1953.
(97) Ibid.
the truth when he described that the League was "a hasty manifestation of spite" of the three parties which wanted to increase their "bargaining power for joining the Ministry." (98) Acting on this assumption, M. P. Koirala carried on separate negotiations with the Congress, the Praja Parishad and the Rashtriya Congress with a view to sow seeds of discord among them. Finally, he reached an agreement with the Nepali Congress by which he agreed to include four of its nominees in the Cabinet. (99) But when these four names were suggested by the Congress, (100) the Prime Minister resorted to delaying tactics in order to break the League. His policy proved more than successful as the other two constituents of the League, the Praja Parishad and the Rashtriya Congress, reacted violently to the "unilateral decision" of the Congress and dissociated themselves from the League. (101)

The unceremonious death of the League showed the extent to which personal jealousies, narrow self-interests and opportunism had entered Nepalese politics. Secondly, it contributed to the further fragmentation of political groups and their general weakening which, in turn, contributed to the growing autocratic


(100) The names were B. P. Koirala, S. P. Upadhyay, Rameshwar Singh and Subarna Shamsher.

(101) *The Hindustan Standard* (Calcutta), 5 November 1953. They also alleged that the Nepali Congress had violated a secret agreement among the three reached at the time of the formation of the League. For the text of this alleged secret agreement see Appendix V.
tendencies of the Monarch. This last trend became particularly alarming by the end of 1953 as shall be seen in the following pages.

V

Rise of Royal Autocracy

Crown vs. Judiciary

In November 1953 an appeal of B. P. Koirala against the internment order passed on him came up for hearing before the Pradhan Nyayalaya. After initial differences among the judges, the Pradhan Nyayalaya held that the order was ultra vires under Article 18 of the Interim Constitution. Accordingly, it ordered the release of B. P. Koirala. (102) This judgement restricted, by implication, the executive powers of the Monarch as head of the problem of State and brought to the surface the relationship between the Executive and the Judiciary. On the one hand, as the Interim Constitution was promulgated by the King it was made implicit that the King's decisions and actions were above the law. The practice of the King, during the period 1951-53, had further made it clear that both in the legislative and executive fields, he held the supreme authority.

On the other hand, the Interim Constitution had also categorically stated that the Pradhan Nyayalaya "shall be the highest court of justice" (Article 30 (1)). The Pradhan Nyayalaya Act of 1952 conferred further rights on the High Court. It laid

(102) An Act passed in 1953 giving special emergency powers to the Magistrates and Commissioners was also declared invalid. The Statesman, 13 November 1953.
down that the decisions of the High Court were to be regarded as final and that it had the right to hear appeals, issue writs of Mandamus, Habeas Corpus, Quo Warranto notices and other prohibitory orders. (103)

In the light of these constitutional and statutory rights, the merits of the High Court's judgement could not have been questioned. But all the same it made the King and his Ministers aware of the challenge to which they were exposed. The King was confronted by a situation in which he could either accept the judgement as precedence for deciding all future cases pertaining to the rights of the Executive or scrap the entire Judiciary and reconstitute it in such a way as to make it completely subservient to the Executive. It was the latter course which the King chose when, by promulgating a proclamation, he amended the Pradhan Nyayalaya Act and deprived the High Court of its constitutional powers. (104)

Amendment of the Interim Constitution

Simultaneously, the Interim Constitution of 1951 was so vastly and thoroughly changed that hardly any of its former features were left intact. The third amended version of the Constitution, which was published in 1954 simply as Interim Government of Nepal Act, (105) dropped the entire chapter dealing


with the Judiciary excepting the provision that "there shall be a Pradhan Nyayalaya" the constitution, powers and functions of which would be determined by law \[^{7}\text{Section 30 (1) (2).}^{(106)}\]

The section containing Directive Principles of the State now came to be governed by an additional clause stating that "the provisions of this part shall not be enforceable by any Court in Nepal; and no Nepal law shall be deemed to be invalid by reason only that it is inconsistent with the provisions of this part" \[^{7}\text{Section 3.}^{(106)}\]

In effect, this was tantamount to saying that the principles of state policy would merely remain as a conditional promise of which nothing in concrete could be expected.

But it was mainly in the Part dealing with the Executive that the autocratic note was most marked. The provision that the King should govern with the advice and consent of his ministers was replaced by the definition that the executive powers of the State "vesting in the King" would be exercised by him "either directly or through Ministers or other officers subordinate to him" \[^{7}\text{Section 22 (1).}^{(106)}\]

The powers of the Crown to grant pardons, reprieves, respites or to commute sentences could now be exercisable by the Government which, in substance, meant that the Crown and the Government were inseparable \[^{7}\text{Section 23 (1).}^{(106)}\]

The right of the King to appoint his Prime Minister was vouchsafed \[^{7}\text{Section 25 (1).}^{(106)}\]

The powers of the Advisory Assembly remained as restricted as before \[^{7}\text{Sections 57 and 58.}^{(106)}\]

The sovereign right to pass all laws and ordinances was completely vested in the Crown \[^{7}\text{Section 30.}^{(106)}\]

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\[^{(106)}\text{As the amended version ceased to have the force of a constitution, the term Article has been replaced by Section throughout.}\]
In sum, the *Interim Government of Nepal Act, 1954* laid the foundation of royal absolutism which marked the beginning of a new stage in Nepalese politics. In political terms, it signified a parting of ways between the Crown and the popular forces headed by the Nepali Congress, the one-time ally of the King against the Rana oligarchy. The limited political consciousness of the people, the split in the Nepali Congress, the continuous disintegration of the democratic forces in the face of reassertion of strength by the feudal groups and the resulting political instability helped the Nepalese Crown to transform itself, within less than four years, from a mere titular head into the most powerful political force in the country. This exalted position of the Monarch was stated clearly in a proclamation issued on 14 February 1954:

The inherent sovereignty of the Monarch and his special prerogatives over the executive, legislative and judicial wings as the supreme head have been handed over to Us by the tradition and custom of the country. For sometimes these prerogatives of the Monarch were exercised by the Prime Ministers by virtue of the rights vested in them by Our illustrious forefathers. Since those rights were ended by the Proclamation of 18 February 1951, the supreme authority in all affairs now rests in Us. (107)

VI

The National Cabinet

On 18 February the King reconstituted the *Rashtriya Praja Party Cabinet*. It was expanded to include representatives of three other parties *viz.*, the Rashtriya Congress, the Praja Parishad and the Jana Congress of Bhadra Kali Misra who was

expelled from the Nepali Congress. (108) This expanded Cabinet, called the National Cabinet, came under heavy weather as soon as it was sworn in. Among the larger political groups, the Nepali Congress and the Nepal Communist Party condemned it as reactionary and anti-democratic. The Nepali Congress Working Committee declared in a communique issued on 2 March 1954 that "to regard the present Cabinet as a national cabinet will be to ignore the reality and mislead the people." (109) The Politburo of the banned Communist Party adopted a resolution on 20 February condemning the new arrangement in stronger terms. It declared

It is clear that this Cabinet will only pave the path for the military dictatorship of the King and will meet the demands of the people with brutal repression which it has already begun by the arrest of several people at various places who voiced against the declaration quite peacefully. (110)

Attitudes of Parties

For the first time also, after 1951, political parties and groups began to take a serious view of the fast growing powers of the King. Curiously enough, this new attitude of the parties coincided with the growing anti-India agitation in Nepal. While the 'Rightist' elements in politics described that India was encroaching on their country's freedom, the 'Leftist' groups

(108) Royal Proclamation of 18 February 1954. Devkota, n. 12, 231-5. The Cabinet consisted of M. P. Koirala (Prime Minister), Mahabir Shamsher, Naradman Thulung, Tanka Prasad Acharya, Kesar Shamsher, D. R. Regmi and B. K. Misra. See also Appendix I.


suspected that India was behind the royalist scheme of throttling the gains of the revolution. (111) The peak of anti-India agitation was witnessed in the first week of May when mobs carrying black-flags demonstrated against the arrival of an Indian Parliamentary delegation at Kathmandu. (112) Though the demonstration was mainly organized by the Gurkha Parishad, the leaders of the Nepali Congress also supported it. On 10 May 1953, B. P. Koirala declared that "It is a fact that there is a widespread feeling in Nepal against India and it is the latter's policy of interference in Nepal's internal affairs which is responsible for it." (113)

The National Government, on the other hand, was not unaware of the fact that this anti-India feeling was, by and large, a reflection of popular resentment against it. This gave rise to a curious practice. In order to disprove the charge that it was "pro-India," the Government itself began to encourage unsubstantiated rumours that some foreign powers were working behind the scene "to fish in Nepal's troubled water." (114) In the enveloping fog of political uncertainty when every single rumour carried the potential danger of creating further trouble, such statements from official quarters only helped in confounding the minds of the people.

(111) See Devkota, n. 12, 239-47.


(113) Devkota, n. 12, 247.

Thus talks of foreign interference and their mysterious doings in Nepal became another feature of Nepalese politics from this time onward.

Meanwhile, the difficulties of the Government piled up one after the other. In Eastern Terai, where continuous drought and rural indebtedness had slowly driven the peasants to utter desperation, a peaceful movement started by the Nepali Congress suddenly turned into an orgy of violence. (115) Communist influence among the lower income groups of Kathmandu and the landless peasants of Eastern Terai began to rise. The Gurkha Parishad, on the other hand, enlisted new supporters from the peoples of Gorkha and other areas adjoining Kathmandu. On 1 June 1954, its top leaders, General Mrigendra Shamsher and his two sons, were arrested on the ground that they were planning to overthrow the Government. (116)

Over and above these perpetual headaches, such natural calamities as flood, food-scarcity and famine aggravated popular antipathy towards the administration. Owing to the policy of uncontrolled import of luxury goods and the strain on available resources, a serious inflationary crisis threatened Nepal's national economy. The value of the Nepalese currency depreciated


(116) The charges against the arrested leaders were the following: - 1) that in Eastern Nepal, the associates of Mrigendra Shamsher had exchanged fire with the police; 2) that he had instigated the people to demonstrate against the Indian M.P.s; and (3) that unlicensed arms, ammunitions and wireless transmitting sets were seized from his palace. See The Statesman, 10 July 1954.
dangerously hitting hard the interests of middle class businessmen and traders. (117)

Thus, within less than six months of its installation, the National Government became more unpopular and discredited in the eyes of the people than any previous one. In order to help it tide over its difficulties, King Tribhuvan once more announced the formation of a larger Advisory Assembly of 106 members. (118) But the scope of the Assembly was as limited as before. It was laid down that the Cabinet could submit any bill for the King's approval "which has not been considered and approved of by the Advisory Assembly." (119) Also the previous basis of selecting members by nomination was followed, though this time attention was given to the representation of each geographical region and of professional classes and groups like businessmen, peasants, workers, lower castes, women and political parties. But the final selections to the Assembly were made in such a way as to give the Government

(117) The exchange rate between the Nepalese and the Indian rupee fluctuated between Nepali 180-190 rupees for Indian 100 rupees. The rate was never so high even during the Rana period. The causes for such inflationary condition might have been 1) dispersal of Rana wealth into foreign countries; 2) developmental undertakings of the Government which had grown too large to make money scarce for imports, whereas luxury goods flooded the markets; 3) officials indulged in racketeering by obtaining Indian currency at the officially fixed rate of 128:100 and selling them in open market, and 4) there was no exchange bank controlled by the Government.


an easy majority in it. (120) As a result the Nepali Congress refused to join the Assembly and described it as "a covert design on the part of the men in Government to delay elections as long as possible." (121)

The non-participation of the Nepali Congress and of certain other groups in the Assembly made it from the very start a forum of the parties in power. But soon a strange alignment of political groups took place within it. A majority of the members belonging to the ruling parties turned against the Government and tried to defeat it. Within a month of its formation, the Assembly defeated by a snap vote an Excise Bill introduced by the Government. On 5 August 1954 another official bill giving extensive powers to magistrates and public officers was thrown out of the Assembly by the majority. A fortnight later the Assembly was adjourned by a proclamation issued by the King. (122)

**Crisis in the Cabinet**

The Government's defeats in the Assembly exposed its weakness. It showed that the leaders who had entered the Government were not in position to control even their followers.

(120) The representations of respective parties were as follows:

<table>
<thead>
<tr>
<th>Party</th>
<th>Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rashtriya Praja Party</td>
<td>45</td>
</tr>
<tr>
<td>Praja Parishad</td>
<td>12</td>
</tr>
<tr>
<td>Jana Congress</td>
<td>1</td>
</tr>
<tr>
<td>Rashtriya Congress</td>
<td>11</td>
</tr>
<tr>
<td>Terai Congress</td>
<td>2</td>
</tr>
<tr>
<td>Nepali Congress</td>
<td>11</td>
</tr>
</tbody>
</table>


(122) Dhundiraj Sharma, n. 48, 344.
Moreover, the division of the Ministry into several rival groups brought stalemate even in the routine work of the Government. The new Ministers, Tanka Prasad, D. R. Regmi, and B. K. Misra, made a joint front to defeat Prime Minister M. P. Koirala at every step. Even the minimum programme which the National Government had adopted in May 1954, concerning rationalization and reorganization of administration, stabilization of the currency and other developmental projects, was consigned to oblivion due to the differences in the Cabinet.

By August 1954 the situation went so completely out of control that the Prime Minister publicly confessed that his Cabinet colleagues were trying to wreck his leadership. (123) Reacting to the statement, Home Minister Tanka Prasad Acharya accused the Prime Minister of over-centralizing powers in his hand and "intolerance of opinion." (124) He disclosed that owing to the direct encouragement of the Prime Minister the officers and staff of his own Ministry tended to bypass his orders.

As a consequence, political rivalries and group-loyalties invaded all branches of the administration. Corruption and nepotism grew rife while the civil servants formed their own groups and factions to defy the Ministers whom they regarded as intruders and novices in administration.

In September, Prime Minister Koirala publicly stated that he would resign in case the homogeneity of the Cabinet was not

(124) Times of India (Delhi), 5 August 1954.
restored. (125) M. P. Koirala's stand seems to have been influenced by the extremely critical attitude of his own followers towards his Government. In October the Working Committee of his Party asked him to reconstitute the Cabinet in view of the fact that in "the present political atmosphere in which a general feeling of hostility and indifference towards the Government predominates," it was necessary to introduce a "team spirit" in the Cabinet. (126)

After four days of protracted discussions the King announced, on 2 October 1954, that he found no reason for changing the Cabinet. (127) He further suggested that if differences arose between the Prime Minister and his colleagues they should be referred to him for arbitration. In effect, this imposed further restrictions on the Prime Minister and increased the extent of the King's personal supervision over cabinet affairs.

The royal declaration, however, failed to satisfy the Prime Minister's own partymen. A section of them led by Bal Chandra Sharma openly challenged his leadership in the Party. In retaliation, M. P. Koirala took the unilateral decision of expelling Bal Chandra Sharma from the Central Working Committee of the Rashtriya Praja Party. (128) He also revived his old charge

(128) The new reconstituted Committee consisted of the following members - M. P. Koirala (Chairman), Kameshwar Prasad Singh, Dharma Bahadur Thapa, Padam Bahadur Singh, Narayan Kumar, Dan Bahadur Srivastava, Bhanu Bhakta, Jai Prakash, Tripurar Singh, Naradmani Thulung, Subhanath Das, Mahendra Bikram Shah, Hora Prasad Joshi, D. S. Pradhan, Janak Bahadur, and Dr. Kamar Ram.
against Home Minister Tanka Prasad. On 12 December 1954 he admitted, at a press interview, that "the purpose for which the present Government was formed has been completely defeated and the experience of the last few months has shown that the parties in it have drifted away." (129) He alleged that some of his colleagues were "more hostile than helpful" and that they refused "to act as a team." (130) Finally, on his insistence, the Council of State, which King Tribhuvan had constituted before he left for Europe, relieved the Home Minister of his portfolio. The latter, however, continued in office as a Cabinet Minister.

But M. P. Koirala's troubles were not yet over. On 23 November the Advisory Assembly passed a non-official resolution to the effect that no bill should be sent by the Cabinet for royal assent until it had been considered and discussed by the Assembly. This resolution frankly violated the provision of the Government of Nepal Act 1954 which had laid down, as noted earlier, that discussion on or approval of the Assembly regarding any legislation or measure was not necessary. Constitutionally, the implications of this resolution, if it had ever been heeded to, would have been not only to impose restriction on the Ministry but to put, indirectly, a restraint on the Crown's legislating authority. Again, on 30 January 1955, the House rejected a budget grant placed before it by the Government.


(130) Ibid.
Fall of the Cabinet

As affairs reached this desperate situation, the Nepali Congress launched a Civil Disobedience movement on 10 January 1955 on the basis of the following six demands: 1) establishment of law and order; 2) protection to civil liberty and formation of an independent Judiciary; 3) holding of general election; 4) disbursement of cheap rice and other food grains; 5) stabilization of the currency and 6) preservation of national territorial integrity. (131) Two days after the movement was launched, Crown Prince Mahendra sent a communication to the Nepali Congress stating that he found its demands reasonable and that he would take steps to fulfil them. (132) The message was hailed by the Nepali Congress as "the Magna Carta of Nepalese history" (133) and the movement was suspended. In effect, this message also implied that the Council of State had lost confidence in the Government of M. P. Koirala. But, in the constitutional sense, the Council's action was exceptional as it was not given powers to interfere with the policies of the Government.

On 31 January 1955, M. P. Koirala submitted the resignation of his Government. In doing so he seems to have been influenced by the attitude of the Crown Prince who was not as favourable towards him as his father. Mahendra was reported to have long entertained

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the view that a coalition government of heterogeneous groups was not the answer to the critical situation that faced the nation. (134)

For sometime an anomalous diarchy continued in the Government. The Council of State had no authority to accept the resignation of the Ministry, while in the eyes of the people and the Opposition the Ministry ceased to exist. A majority of the Prime Minister's Party, headed by Bal Chandra Sharma joined the Praja Parishad and the Jana Congress to form a new and larger party called the Nepal Praja Parishad. (135) As a result, Home Minister Tanka Prasad Acharya and Bhadra Kali Misra were dropped from the Cabinet on 11 February 1955. The period of uncertainty, however, came to a close when the Crown Prince, after meeting his ailing father in Europe, returned to Nepal with a new order which vested in him all royal powers. On 18 February 1955, this order was issued in the form of a proclamation. It declared:

We have duly vested him [Crown Prince] for the time being with all our royal authority so that he could fully exercise such authority for the execution of necessary work in order to achieve the welfare of the state and its people, keeping in view the present situation of the country and as far as possible the voice of the people. (136)

(134) In one of his earlier public statements, Mahendra had asked whether men with the qualities of M. P. Koirala were lacking in Nepal. He had then accused the Government of indifference towards popular needs and requirements. See Sri 5 Yuvarajahira Ko Rupma Rashtranavyak Ka Bhasan Haru (Ministry of Home Affairs, HM Government, Kathmandu 1960) 9.


Following this proclamation, Mahendra dissolved the Council of State and, as a first step, took direct control of the Department of anti-Corruption, the Central Intelligence Bureau, the Public Service Commission and the Department of Records. (137) With characteristic straightforwardness he declared over the Nepal Radio that four years of democracy had brought no good to the country. "Some people" he added, "say democracy in Nepal is in its infancy. But infants do not indulge in bribery and corruption." (138)

This declaration which was a direct indictment of all the political parties brought a new note in politics. It signified that Mahendra was determined to rule the country according to the manner he thought best. This was substantiated when, on 2 March 1955, he accepted the resignation of M. P. Koirala, dissolved the National Government and promulgated the direct rule of the Crown. (139)

The reasons for the failure of M. P. Koirala's Ministry were obvious. His party, which was only three months old when it came to power, worked more or less as a factional group with very little organization or public support. In the Cabinet, the Ministers worked as Independents, not as representatives of the parties. This made the Cabinet a loosely knit body and deprived it of all sense of direction. The followers of M. P. Koirala

(137) Ibid.
(138) Ibid.
(139) The Times of India, 10 March 1955.
got dissatisfied with him and in the process, his Party ceased to exist. This showed the extreme flimsiness of Nepalese political organizations in which their leaders had no control over their ranks. Finally, the attitude of the Crown Prince hastened the fall of the Cabinet. Prince Mahendra left no illusion in the minds of his people that he was not too much enamoured by the complicated nuances of democracy and the kind of party-politics that was evolving in Nepal.