Chapter Five

THE NEW CONSTITUTION AND PARLIAMENTARY RULE (1959-60)
The New Constitution

The new Constitution which came in the form of an award from the King to his people settled the most vexatious question which had been agitating Nepalese politics viz., with whom did Sovereignty lie? By accepting the Constitution as the supreme law of the kingdom, the parties which were represented in the Council of Ministers automatically surrendered whatever views they held in regard to the right of the people to frame their own constitution. Other parties, including the Nepal Communist Party which had at one time demanded the establishment of a republic, accepted the royal dispensation, though indirectly, when they decided to participate in the election.

The theory that the King was the source of all power, which King Tribhuvan had propounded in his famous proclamation of 13 February 1954 (1) and to which his son had adhered with unflinching devotion, was re-vindicated in the Constitution. The Preamble stated that the Maharajadhiraaja enacted and promulgated

(1) See Chapter Three.
the fundamental law "in the exercise of the sovereign powers and prerogatives vested in Us in accordance with the tradition and custom of Our country and which devolved on Us from our August and Respected forefathers." (2)

The objectives of the Constitution were also laid down in the Preamble as follows

... to help our subjects to attain all-round progress and achieve the fullest development of their personality; to ensure to them political, social and economic justice; and to cement the unity of the nation by bringing about political stability through the establishment of an efficient monarchical form of Government responsive to the wishes of the people. (3)

Curiously enough, the Constitution did not make any reference to the establishment of real democracy which the Interim Constitution of 1951 had guaranteed. This was mentioned only in a press note issued by the Government on the same day as the Constitution was proclaimed. The fact that the objective of democracy was not mentioned in the Preamble caused apprehensions in many quarters that the "personal rule of the King might be perpetuated." (4) Even the royal proclamation of 14 February 1959 stated that the Constitution was promulgated only in order to "cement the unity of the nation" and to make the "Nepalese prosperous, honoured and progressive." (5) In other words, the

---

(2) Preamble, Nepal Adhiraivako Sambidhan (Ministry of Law and Parliamentary Affairs, HM Government, Kathmandu, 1959). Subsequent reference to the Constitution is based on this official Nepali version. The English rendering can be found in Narendra Goyal, The King and His Constitution (Delhi, 1959).

(3) Ibid. Emphasis added.


(5) Gorkhanatra (Kathmandu), 58 (14 February 1959) 1.
Constitution placed before itself the task of establishing a responsible monarchical system which could efficiently run the administration for the social, economic and political upliftment of the subjects.

Fundamental rights

It was, perhaps, to re-assert this aspect of Welfare State, that the Constitution appended an elaborate chapter enumerating fundamental rights of the people. Here it followed, of course, the model of the Interim Constitution. Such well-known rights as freedom of speech and of expression, freedom of assembly without arms, freedom to form associations and unions and to move or reside freely in any part of the kingdom were guaranteed (Article 7). The right to move the Court for enforcement of these fundamental liberties was guaranteed by Article 9 which empowered the Supreme Court to issue directions and orders, including writs in the nature of Habeas Corpus, mandamus, quo-warranto and Certiori etc. The Constitution proclaimed the personal inviolability of the citizen i.e., protection from arbitrary arrest, retrospective punishment, double jeopardy, ex post facto legislation and self-incrimination (Article 3(1-6)).

Like the Interim Constitution, the new Constitution also guaranteed equal protection of law to all citizens without discrimination on grounds of religion, sex, caste, race or tribe and the same equality was guaranteed in respect of appointment in the service of the Crown (Article 4). Article 5 granted
religious freedom, but it was phrased in such a manner as to cause a misunderstanding that the fundamental right to preach religion was forbidden by the Constitution. The Article ran as follows:

Every citizen subject to the current traditions, shall practise and profess his own religion as handed down from ancient times, provided that no person shall be entitled to convert another person to his religion.

The phrase "subject to the current traditions" and the word "shall" were misleading. Did they mean that the practice and profession of religion were made binding on the people? Again, did the injunction against free religious conversion prohibit even freedom of religious expression? If so, the provision was "completely destructive of the secular State." (6)

Similarly some other provisions in this part of the Constitution remained vague and appeared rather incongruous with the conception of democracy. For instance, the provisions referring to Preventive Detention (Articles 3, 8) were out of place in the chapter guaranteeing fundamental rights. They laid down that a person could be detained for a period of six months unless an Advisory Board, constituted for the purpose of reviewing such cases under preventive detention, or any specific law provided otherwise (Articles 3, 9 and 12). Article 3 (11) ensured the right of the detaining authority to decide whether or not the grounds for detention could be disclosed to the detenu.


See also comments in the Kalpana (Kathmandu), 24 July 1959,
Similarly, the insertion of an additional clause to prevent dissemination of "hatred, contempt or enmity" between "people belonging to different areas, or between different classes of people, castes and tribes" Article 4 (4) appeared superfluous. As the Constitution provided adequate safeguards against such activities and specifically empowered Parliament to enact laws "for the peace, order and good government of Nepal" Article 51, it seems quite unnecessary that a restrictive clause of this nature should have been appended to this part of the Constitution. (7)

Finally, the provision that the State could not appropriate private property "save in accordance with the law" Article 6 (1) put a serious check on the Government so far as the abolition of Birtas, Guthis and restriction on big-land ownerships was concerned. (8)

In sum, the Fundamental Rights guaranteed in the Constitution remained more or less a theoretical proposition to be tested, revised or rejected by the hard facts of experience. They found a place in the Constitution because its framers were eager to conform to the framework laid down by the Interim Constitution. But the implementation of these rights remained totally dependent on the discretion of the Monarch who could abrogate them either in part or wholly.

(7) See Goyal, n. 2, 20-1.

(8) Appadorai and Baral express the hope that the rights of private property will undergo modification when "the concept of public good acquires an egalitarian content in Nepalese social thinking," n. 4, 226.
Structure of the Legislature

Contrary to the nearly unanimous opinion among the political parties that Nepal needed a unicameral legislature, the Constitution provided for a bi-cameral legislature with the King at the head. The Lower House called the Pratinidhi Sabha consisted of 109 members to be elected for five years, on the basis of adult franchise Articles 22 and 26 (3). The Upper House or the Senate called the Maha Sabha was to be a permanent body with 36 members, half of whom would be elected by the Pratinidhi Sabha by proportional representation and other half nominated by His Majesty Articles 20 and 21. The term of the Senators was six years with one-third of them retiring at the expiry of every two years Article 21 (2). It was laid down that the Speaker of the Pratinidhi Sabha should be elected from outside the members of the House Article 29 (2). The necessity for this novel system was explained in His Majesty's Government's Press Note as follows:

In order to establish the foundations of proper parliamentary procedure, it is necessary to have an impartial Speaker; the Constitution therefore permits the election, to the office of Speaker, of a person who is not a member of the Pratinidhi Sabha. (9)

The Constitution granted equal status to both the Houses, though in the sphere of financial legislation, it was laid down

(9) Gorkhapatra, 58 (13 February 1959) 1. This position, however, raised a constitutional problem - if the Speaker was elected from outside, would he not add to the membership of the House; if he was member and then resigned, would not his resignation lead to a reduction of the membership? See Rao, n. 6, 67.
that all Money bills (10) should originate in the Lower House \(\text{Article 40 (1)}\). The \textit{Maha Sabha}, on the other hand, was given the privilege to delay the passing of Money bills by at least one month and any other legislation by six months \(\text{Article 41}\). The legislative authority of Parliament was defined by \text{Article 51}, in general terms,

Subject to the provisions of this Constitution, Parliament shall have power to make laws for the peace, order and good government of Nepal.

Parliament could also amend the Constitution provided two-third of the total members of each House agreed to an amendment separately \(\text{Article 53}\). (11)

But there were several restrictions on the authority of Parliament. For instance, it could pass no law unless it received the formal assent of His Majesty who could withhold, refuse or postpone his assent according to his discretion \(\text{Article 42}\). Again, the \textit{Pratinidhi Sabha} was debarred from introducing a Money bill unless it had received prior recommendation of the King \(\text{Article 40 (3)}\). Similarly, the Crown's prerogative to nominate half of the members of the Senate gave rise to the suspicion that the King wished to make the Upper House a tool in his hand. The

(10) Defined in \text{Article 40 (2)} as bills which contain provisions dealing with 1) taxation; 2) imposition of charges on the consolidated fund; 3) grant of money to HM Government or to any other person; 4) affairs regulating public money; 5) floating of loans and 6) any matter incidental to aforesaid matters.

(11) According to Appadorai and Baral the amendment procedure showed that the Constitution was partly rigid and partly flexible. n.4. For an opposite view see Kulashekhar Sharma, \textit{Talk on the Constitution of Nepal} (Kathmandu, 1960) 19 (Typescript).
rights reserved by the King to suspend either one or both Houses of Parliament and to promulgate ordinances during the recess of Parliament further undermined the sovereignty of the Legislature. Finally, Parliament was debarred from discussing the King's "private revenues" Article 44 (4), and Article 34 (1) clearly stated:

No discussion shall take place in either House of Parliament with respect to the conduct of His Majesty and his successors provided that nothing in this clause shall limit criticism of His Majesty's Government.

The Constitution thus ensured the personal inviolability of the Monarch and, at the same time, gave him enough powers to cripple Parliament whenever he wished to do so.

Cabinet Government

The executive structure was to be based on a cabinet system working under the constitutional headship of His Majesty. But the Constitution here followed more the model of the Government of Nepal Act 1954 than the Interim Constitution. It laid down:

The executive power as vested in His Majesty, extends to the execution and maintenance of this Constitution and the laws of Nepal, and shall be exercised by him either directly or through Ministers or other officers, subordinate to him, in accordance with provisions of this Constitution and any other law for the time being in force Article 10 (1).

The language of this provision, when studied closely, would give the impression that the institution of Cabinet Government was by no means made binding on the King; his prerogative to govern directly was unequivocally admitted. Article 12 (1), however, provided that a cabinet of ministers not exceeding 14 should be
constituted. It should be charged with the general direction and the control of the Government and should remain collectively responsible to the Pratinidhi Sabha. In a way, this was an improvement over the previous system under which the ministers had remained individually or collectively answerable to the Monarch and held their office during his pleasure. The Constitution also accepted the principle that the leader of the majority party in the Pratinidhi Sabha should be the Prime Minister.

But the position of the Prime Minister remained anomalous and left enough room for friction between him and the King. He was to communicate to His Majesty the agenda and all decisions of the Cabinet and furnish him with information which he might require. The King, again, held discretionary powers to frame rules for the conduct of government business, including relations between him, the Cabinet and other servants of the Crown. He reserved the right to specify such subjects on which the Cabinet could not make recommendation without his prior consultation "except on grounds of urgency". The Constitution further provided that if disputes arose as to whether any matter was or was not a matter on which His Majesty could act in discretion, his decision was to be regarded

(12) Among the ministers, it was laid down, at least two should belong to the Maha Sabha, and from among the 10 assistant ministers, similarly, two should be members of the Maha Sabha.
as final and its validity could not be called in question Article 10 (5). The full implication of these provisions becomes clear when it is considered that the Constitution made a clear distinction between His Majesty and the Government of His Majesty. It was laid down that all actions taken by His Majesty in his discretion would be expressed to be taken in the name of His Majesty; others taken in the exercise of the executive powers vested in him, would be taken in the name of His Majesty's Government Article 10 (6). This "diarchy" at the top kept open the possibility of many embarrassing situations. On the one hand, since the final decision as to what matters came within the personal discretion of the Monarch remained with him, the Cabinet was not in a position to explain its conduct on matters in which the people felt strongly. On the other, even in the exercise of ordinary executive powers, the King was given all legal protection Article 69. Thus, under the Constitution, the position of elected ministers remained not only subordinate to the King but they were to be held responsible for all actions of the King as well as those of their own. In other words, the Constitution laid down, in this part, two contradictory principles i.e., 1) that the King was the actual and effective head of the State, and 2) the theory that the

(13) This was clearly a violation of Article 25 (1) of the Interim Constitution.
King could do no wrong. (14) How far these two principles could work in actual practice remained still dependent on the relationship that might develop between the Monarch and the elected Prime Minister.

Position of the Prime Minister

But the Constitution imposed more severe restrictions on the Prime Minister. Article 26 (2) specifically empowered the King to reject, while acting in his discretion, a recommendation of the Prime Minister to summon or dissolve Parliament. This proviso was not only unusual, it contravened also the principle of Cabinet Government. For if an exigency arose when the King rejected the recommendation of the Prime Minister, then the latter had no choice but to resign. Further, the Constitution did not make it clear as to what would happen if a bill which was passed by both the Houses, failed to receive the royal assent. Should the Prime Minister, in that case, submit the resignation of his Cabinet or merely submit to the royal decision without protest? (15)

(14) But this theory could only hold good if the King had remained totally outside active politics or, in the words of Bagehot, had agreed to limit his sphere of activities to merely the right 'to be consulted, the right to encourage and the right to warn.' Bagehot, _The English Constitution_ (London, 1909).

(15) The ex-Chief Justice of Nepal, Hari Prasad Pradhan makes the following observation on this matter:

The Prime Minister may give due respect to the opinion of the Crown on matters placed before His Majesty and may even act upon it if it is not against the decision of the Parliament, if it conflicts with the decision of the Parliament the Prime Minister is constitutionally bound to respect Parliament's decision as he along with his colleagues are _sic_ jointly responsible to the Parliament.

A still more pernicious clause was the one which gave discretionary power to the King to appoint the Prime Minister from outside the members of the Pratinidhi Sabha if he found no person who could command the confidence of the majority in that House. In such a case, the Prime Minister appointed by him was required to become a member of either of the Houses within a period of four months. This involved two pertinent questions - first, what would happen if such a person failed to become a member within the fixed period? Should the King try another person or impose his direct rule? Secondly, granting that such a person fulfilled the above requirement, could it automatically assure him the support of the majority in the Pratinidhi Sabha? If not, could the King retain him in office in violation of the rules of Cabinet Government? These questions were left unanswered by the Constitution.

Finally, Article 13 (5 d) conferred on the King the right to dismiss the Prime Minister if he was satisfied, after consulting the Rashtriya Parishad (Council of State), that the Prime Minister had lost the confidence of the Parliament or that his Government "persisted in acting contrary to the provisions of this Constitution." (16)

The aforesaid Rashtriya Parishad also held an anomalous position vis-a-vis the Cabinet. From its composition it would appear that the Parishad was to work somewhat like the Privy Council.

(16) According to a critic, this provision was "seriously questionable" and infringed the basic practice of parliamentary democracy. See Rao, n. 6, 69.
of England and mainly to function as a consultative body to advise the Monarch. (17) It was also required to work as a regency council during the minority, or mental or bodily infirmity of the King Article 11 (5). But sometimes, as referred to above, it had to render such services as would normally fall within the province of the Prime Minister. Thus, it was required to advise the King during the period when the constitutional machinery broke down, or render advice to His Majesty as to whether or not he should give assent to a bill Articles 17, 42 (2) and 55 (5).

Position of the King

The most important aspect of the Constitution, as the preceding discussion would have already shown, was the high place it gave to the Nepalese Crown. By declaring the Monarch as the supreme head of the State, it affirmed the principle of royal supremacy as propounded earlier by the Government of Nepal Act of 1954. It was once more stated that

Except as provided in this Constitution, or any law for the time being in force, servants of the Crown shall hold office during the pleasure of His Majesty Article 65.

The royal prerogatives to appoint members of the Public Service Commission, the Delimitation and the Election Commission, the Auditor General and the Chief Justice were reiterated. Apart from the judicial powers such as to grant pardons, reprieves, respites or to remit, suspend or commute sentences passed by any court or tribunal, His Majesty was empowered to dismiss the

(17) See Appadorai and Baral, n. 4, 228.
Chief Justice or other judges of the Supreme Court on grounds of "misbehaviour or incapacity" Article 57 (4). (18)

The King was given further emergency powers to suspend or abrogate, both in times of peace or war, part or whole of the Constitution Articles 55 and 56. In matters relating to the succession to the throne, his prerogative remained outside the domain of the Constitution, as Article 1 (2) laid down

Nothing in this Constitution shall affect the law, custom and usage relating to the succession to the throne by the descendants of His Majesty Sri Maharajadhiraja.

Thus, the Constitution remained inoperative so far as the royal dynasty was concerned. In fact, by asserting the doctrine of inherent sovereignty of the monarch, the framers of the Constitution left the people in doubt as to whether the King was above the Constitution or vice versa. (19)

An Assessment

In judging the new Constitution, however, it is necessary to take note of the basic conceptions which ran through it from the beginning to the end. First, the backward condition of the country and the chronic instability of the Government had impressed on the mind of its framers the need for a unified and firm leadership which the King alone could provide. Secondly, the Crown remained

(18) This, according to P. Chandra Sekhara Rao, "establishes an unhappy precedent which has the effect of hampering the independence of the judiciary." n. 6, 64-5.

(19) For further discussions on royal powers as granted in the Constitution see Appadorai and Baral, n. 4, 234; Goyal, n. 2, 87, and E. N. Schoenfeld, "Nepal's New Constitution," Pacific Affairs (New York), 32 (December 1959) 392.
still the only symbol which could consolidate the political unity of the country. Thirdly, the experience of previous years made it amply clear that there was no single party or political leader who could play a more effective political role than the Monarch. Fourthly, the Constitution reflected the King's desire to lead his country on the path of social upliftment and economic progress. Last but not the least, the new Constitution represented a kind of workable arrangement between the King and the political parties through which the unsettled years of the interim period could have been brought to an end. The new system would have proved eminently successful if no party had gained a clear majority after the election. But this did not happen. The overwhelming victory of the Nepali Congress in the election placed it in a position from where it could counter the supremacy of the Monarch. What followed as a result of this conflict will be discussed in the following pages.

II

General Election and Its Results

On 18 February 1959, the general election commenced in Nepal. The country was divided into 109 constituencies by a Delimitation Committee which comprised the Chief Justice and two nominated members. On an average each constituency contained about 78,000 people and the number of voters varied between 23,000 and 52,000. (21)

(20) See Sharma, n. 11, 12-13.
The elections were held on the basis of single constituency majority vote, and the rules governing the qualifications of the voters and the candidates were laid down in the Jana Pratinidhitta Ain, 2015 (People's Representation Act of 1958). Accordingly, every citizen of Nepal above the age of 21 could exercise his franchise in the constituency in which his name was listed. (22) Anybody who had reached the age of 25 and did not hold a place of profit in the Government, or had not been imprisoned on a criminal charge, nor punished for bribery and corruption, nor accused of treason could contest the election as a candidate. (23)

Problems Before the Election Commission

The superintendence, direction and control of the election was entrusted to the Election Commission which was reconstituted in May 1958. (24) Apart from the geographical inaccessibility

(22) Ibid., Sections 7 (1), 8 (1), and 25 (1).

(23) Ibid., sections 12 and 13. See also Jana Pratinidhitta (Samsodhan) Ain, 2015 (Ministry of Law, HM Government, Kathmandu, 1958) Section 3.

(24) The history of the Commission is a chequered one. It was first constituted in June 1951. In 1953, it prepared a draft Peoples Representative Act, after consulting Sukumar Sen, the Chief Election Commissioner of India. Unfortunately, for reasons unknown, the Act did not receive the royal seal until February 1955. By that time, the electoral roll prepared by the Commission had become invalid. The Commission, therefore, asked that special powers be given to it to expedite the election arrangement. But according to the Chief Election Commissioner, Tanka Prasad's Ministry sat tight over the matter and did nothing to fulfil the Commission's demand.

It was only in 1957 that certain special powers were granted to the Commission; but again the Ministry in charge of the election did not give it the needed co-operation.

...(contd. on next page)
of many constituencies and the familiar transport and communication difficulties, the Commission faced many other problems. It had first to educate the people in the use of ballot papers and convince them about the importance of the election. The novelty of the new situation and popular misunderstanding about the purpose of the election multiplied the Commission's difficulties. Sometimes it even faced actual hostility from the local population. (25)

Secondly, some interested parties and groups which did not want to pass through the test of the election spread rumours in the districts which created misapprehensions in the minds of the voters. Thirdly, due to the colossal shortage of technical staff, the Commission faced such difficulties as could have been easily avoided. Finally, due to the unsettled state of politics, fears were expressed that the Commission was not really impartial or above the interests of party politics.

Insipite of these initial obstacles, the Commission fulfilled its work with admirable efficiency. It carried extensive propaganda

---

Contd. from last page

At the political conference of December 1957, the Chief Election Commissioner submitted a report saying that the Commission would take 196 days to finalize the preparation for the election. The report was accepted by the King and the political parties. See Gorkhapatra, 53 (27 March 1953) 1; 57 (11 October 1957) 1-3, and 57 (13 December 1957); Halkhabar (Kathmandu), 5 September 1957 and 7 December 1957. For reports of the Chief Election Commissioner see Gorkhapatra, 57 (11 October 1957) 1-3; Nepal Gazette, 4 (8 Sravana, 2015 B.S.) 109-15; and Rajnaitik Sammelan (Publicity Department, HM Government, Kathmandu, 1957) 3-7.

(25) The Limbus of the Dhankuta district, for instance, feared that the election would deprive them of their hereditary Subbashp. See Samaj (Kathmandu), 14 December 1958.
in favour of the election through the medium of songs, distribution of hand-bills and radio broadcast where such facilities were available. It requisitioned the services of poets and songsters to visit the villagers and teach them about the election through songs and poems. Simultaneously, the Commission brought out a periodical named Nirvachana Sandesh which published, from time to time, the news about the election. In all, about 17,000 government servants were called upon to help and assist the work of the Commission.

**Popular Response to the Election**

Some of the major parties, too, helped the Election Commission to build a "psychological background" (26) for the election. By and large, the people became aware of the fact that something momentous was going to happen from 18 February 1959 onwards. (27) The election campaign of the parties remained mostly confined to organizing meetings, processions, distribution of hand-bills and manifestos. Often, their propaganda gravitated around important personalities or mud-slinging on rival candidates. (28)


(27) That is how exactly the Chief Secretary of the Election Commission described to this writer the climate of Nepal on the eve of the election.

(28) A candidate described himself to the voters that he was a saviour "who had liberated 84 lakhs of men and women from the shackles of slavery." See Kalpaka, 2 February 1959. Another candidate went round telling the people that if he was not voted to Parliament, he would even commit suicide. Halkhabar, 16 January 1959.
Nevertheless, on an average, about 43 per cent of the electorate turned up to cast their votes. (29) Polling, in general, was peaceful though, two days after the election had commenced, three political leaders, Tanka Prasad, K. I. Singh and Ranga Nath Sharma, submitted a memorandum to the King praying that the election should be quashed as serious allegations about corruption and mismanagement were reported. (30)

The most remarkable feature of the election was the large number of candidates. For 109 seats alone there were as many as 786 contestants among whom 268, or more than 34 per cent, were Independents. This preponderance of Independent candidates in the election showed first, the organizational weakness of the political parties and, secondly, ill-effects of party-fragmentation during the past years. The total rout of these elements in the election, however, indicated that, on the whole, the electorate was not impressed by their irresponsible claims. (31)

**Parties and Election**

The Election Commission gave recognition to 11 political parties and allotted symbols to them on the basis that each would

---

(29) Maximum polling was reported from Baglung (North) constituency - 62.08 per cent; minimum from Dailekh (East) constituency - 20 per cent. Based on Election Commission's Report, *Nirvachana Sandesh* (Kathmandu), 2 (1 Asadh 2016 B.S.) 1-72.


(31) See Table I. B. P. Koirala pointed out to this writer that the elimination of smaller parties and Independents was one of the most important gains of the general election.
contest at least 21 seats. (32) Among these 11 parties, one boycotted the election while another failed to put up the minimum number of candidates. The remaining 9 parties were - the Nepali Congress, the Gurkha Parishad, the Nepal Communist Party, the Samyukta Prajatantra Party, the Praja Parishad (Tanka Prasad group), the Praja Parishad (B. K. Misra group), the Terai Congress, the Rashtriya Congress and the Nepal Prajatantrik Mahasabha. None of these parties made electoral alliance with another, though the Communist Party supported a few Independents to fight both the Nepali Congress and the Gurkha Parishad which its Politburo described as "enemies of the people." (33) The Nepali Congress, however, declared that its chief aim was to defeat the Gurkha Parishad, not the Communist Party. (34) At one time it was also reported that the Prajatantrik Mahasabha had reached some kind of an electoral understanding with the Gurkha Parishad. The report was however contradicted. (35)

The manifestos and programmes announced by the parties appeared so similar that, barring differences in emphasis, they left very little choice before the voters. In general, all the important parties supported the establishment of a representative, popular government under the King's constitutional leadership,

(34) Ibid., 13 January 1959.
promised abolition of Birtas (tax-free lands) and urgent land reforms and advocated non-involvement with military camps and friendship with all powers in foreign policy.

**Nepali Congress.** Briefly stated, the manifesto of the Nepali Congress reasserted its faith in achieving socialism through progressive elimination of feudal relations on land and rapid industrialization. It promised the abolition of big Birta-holdings, Rajauta (chieftainship) and Zamindari, ceiling on land, the distribution of excess lands to the tillers and the nationalization of forest resources. It pledged to bring about "greater scientific efficiency" (36) in administration by eradicating all kinds of corruption and bribery. It accepted Nepali as the national language, but stressed the necessity of developing other regional languages. The manifesto guaranteed complete freedom in matters affecting religion and pledged the support of the Congress to the protection of religious beliefs and practices of the people. In foreign policy, the Nepali Congress upheld the principles of non-alignment with military groups and of world peace "through the medium of the United Nations." (37)

**Gurkha Parishad.** The Gurkha Parishad, on the other hand, claimed itself to be the only nationalist party of Nepal. It supported the institution of monarchy as an essential part of cultural heritage "which has always been in favour of popular

(37) *Abid.*, 16.
democracy, not a stumbling block against it." (38) Its manifesto promised urgent administrative reforms, special care of the neglected districts of the Terai, decentralization in administration and efficient judicial system. It also pledged to carry out agrarian reforms, guaranteed religious freedom and asserted that the maintenance of world peace was the only way for the unfolding of a "creative human personality." (39)

**Nepal Communist Party.** The manifesto of the Nepal Communist Party asserted that during eight years of interim rule there had been continuous infringement of the democratic rights of the people, and "tear-gases and lathi-charges" had become "the order of the day." (40) It charged that the semi-medieval backwardness of the peasants remained unchanged while unemployment among the middle class and administrative inefficiency grew from bad to worse. The Party visualized a three-point foreign policy based on 1) annulment of the agreement with Britain authorizing Gurkha recruitment centres "inside our territory," 2) amendment of trade treaties with India and 3) resistance to "American infiltration in the country." (41)

(38) *Nepal Rashtrovadi Gurkha Parishad Ka Chunao Ghosanapatra* (Kathmandu, 1959) 3-4.

(39) Ibid., 23.


(41) Ibid., 12.
Other Parties. Among the remaining parties, the Samyukta Prajatantra Party advocated the establishment of a "real monarchical democracy" with a one-house Parliament. (42) It declared that, if elected, it would never allow religious conversion and cow-slaughter.

The two factions of the Nepal Praja Parishad presented almost the same programme before the electorate. The Tanka Prasad group was of the opinion that, under the circumstances, only the middle class was in a position to lead the country to progress, and therefore, the State should protect the interests of this class. (43) The Misra group, on the other hand, declared that it supported a constitutional monarchy in which "sovereignty should rest in the people." (44)

The Prajatantri Mahasabha claimed that it was the champion of "traditional religion." (45) Regmi's Rashtriya Congress declared that it would give first priority to the problem of developing the national and other languages. (46) The Terai Congress maintained that it represented an organization of the exploited classes and demanded that the kingdom should be divided


(43) Nepal Praja Parishad Ka Chunao Ghosanapatra (Kathmandu, 1959) 26. / Tanka Prasad Group /

(44) Nepal Praja Parishad Ko Chunao Ghosanapatra (Kathmandu, 1959) 6. / B. K. Misra group /

(45) Nepal Prajatantri Mahasabha Ka Nirvachan Ghosanapatra (Kathmandu, 1959) 2-4.

(46) Prakash (Kathmandu), 2 (13 January 1959) 2-4.
into autonomous units with a "Nepali Union" at the top. (47)

Party-Position After the Election

Table I

Final results of the general election (48)

<table>
<thead>
<tr>
<th>Name of parties</th>
<th>Seats contested</th>
<th>Seats won</th>
<th>No. of votes polled</th>
<th>% of total votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nepali Congress</td>
<td>108</td>
<td>74</td>
<td>666,898</td>
<td>37.2</td>
</tr>
<tr>
<td>Gurkha Parishad</td>
<td>86</td>
<td>19</td>
<td>305,118</td>
<td>17.3</td>
</tr>
<tr>
<td>Samyukta Prajatantra Party</td>
<td>86</td>
<td>5</td>
<td>177,508</td>
<td>9.9</td>
</tr>
<tr>
<td>Nepal Communist Party</td>
<td>47</td>
<td>4</td>
<td>129,142</td>
<td>7.2</td>
</tr>
<tr>
<td>Praja Parishad (Acharya)</td>
<td>46</td>
<td>2</td>
<td>53,083</td>
<td>2.9</td>
</tr>
<tr>
<td>Praja Parishad (Miscra)</td>
<td>36</td>
<td>1</td>
<td>59,820</td>
<td>3.3</td>
</tr>
<tr>
<td>Nepal Terai Congress</td>
<td>21</td>
<td>0</td>
<td>36,107</td>
<td>2.1</td>
</tr>
<tr>
<td>Rashtriya Congress</td>
<td>20</td>
<td>0</td>
<td>12,707</td>
<td>0.7</td>
</tr>
<tr>
<td>Prajatantrik Mahasabha</td>
<td>68</td>
<td>0</td>
<td>59,896</td>
<td>3.3</td>
</tr>
<tr>
<td>Independents</td>
<td>268</td>
<td>4</td>
<td>291,149</td>
<td>16.7</td>
</tr>
</tbody>
</table>

The emerging political map of Nepal after the general election showed that on the national scale only four parties achieved some importance, i.e., the Nepali Congress, the Gurkha Parishad, the Samyukta Prajatantra Party and the Communist Party.

(47) Nepal Terai Congress Ka Chunao Chosanapatra (Kathmandu, 1959) 6.

(48) Based on Reports of the Election Commission, n. 29.
RESULTS of
The General Elections 1959.
Based on official Report of the
Election Commission, Kathmandu.

----- Outer Boundary.
----- District Boundary.
• Nepali Congress.
• Gurkha Parishad.
⊕ Nepal Communist Party.
○ Independents & Other Parties.
Each of these parties polled more than one lakh votes and together they captured more than 93 per cent of the total number of seats. The elimination of smaller parties was a beneficial feature of the election in as much as it applied a curb on the tendency towards multiplicity of parties in politics. Another interesting feature was the surprising defeat of almost all the top ranking politicians of Nepal who had been crying themselves hoarse that they were the true leaders of the people. (49)

During the election, only the Nepali Congress demonstrated that it had organizational ramifications which spread all over the country. The voting pattern showed that the Gurkha Parishad was strong only in the areas adjoining the Kathmandu Valley, in East No. 1 and 2 and Gorkha, Dhading and Nawakot. Dr. K. I. Singh's Party (Samyukta Prajatantra Party) showed some strength in the districts of Western Terai from where 3 of its 5 successful candidates were elected. The Communist Party got solid support from the districts of Dang, Banke and Bardia in Western Terai, and Saptari, Bara, Parsa and Rautahat in Eastern Terai. (50)

(49) Among the defeated candidates were K. I. Singh (S. P. P.), Tanka Prasad Acharya (P. P.), D. R. Regmi (R. P.), Ranga Nath Sharma (P.M.B.), B. K. Misra (P.P.), Dr. Kesar Jang Raimajhi (N. C. P.), Puspalal (N. C. P.), Vedanand Jha (N. T. C.), S. P. Upadhayya (N. C.), and K. P. Bhattarai (N. C.).

(50) See also the Map.
Table II

Party Position in the Kathmandu Valley (51)

<table>
<thead>
<tr>
<th>Name of Constituency</th>
<th>Winning Party</th>
<th>Votes polled by the Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kantipur</td>
<td>Nepali Congress</td>
<td>10,986</td>
</tr>
<tr>
<td>Kathmandu West</td>
<td>Gurkha Parishad</td>
<td>6,262</td>
</tr>
<tr>
<td>Lalitpur</td>
<td>Communist Party</td>
<td>7,959</td>
</tr>
<tr>
<td>Bhaktapur</td>
<td>Nepali Congress</td>
<td>6,068</td>
</tr>
<tr>
<td>Kathmandu N-E</td>
<td>Samyukta Prajatantra Party</td>
<td>8,755</td>
</tr>
</tbody>
</table>

Curiously enough, the national position of the parties was reproduced in miniature in the Kathmandu Valley. Of the 5 seats contested, 2 went to the Nepali Congress while the other three parties got one seat each. (52)

Thus, in the final analysis, the Nepali Congress emerged as the strongest political organization of Nepal with 74 seats in the Pratinidhi Sabha. The unexpected victory of the Congress can be partly attributed to its superior financial resources and extensive organizational net-work. Its tradition as a party which had successfully led the revolution of 1951 also influenced the minds of the voters. Thirdly, the personal popularity of some of the Congress leaders like B. P. Koirala, Ganeshman Singh and Subarna Shamsher increased the vote-catching capacity of the Congress.

(51) Based on Election Commission's Report, n. 29.
(52) See Table II.
Fourthly, the incessant agitation carried on by the Congress during the past years and the Satyagraha organized by the United Front, in which it played the leading role, made the people familiar with the programme and platform of the Nepali Congress. Fifthly, in consonance with the voters' psychology, the Party presented itself, constantly and skilfully, as the only party which could restore political stability in the Government. Finally, the system of single-member majority vote contributed, in a large measure, to the success of the Nepali Congress. It is interesting to note that with only 37.2 per cent of the total votes, the Congress captured more than 72 per cent of the total seats in the Pratinidhi Sabha. (53)

The victory of the Nepali Congress was a turning point in the uncertain politics of Nepal. For once, the shadow of instability which had so long remorselessly haunted parties and people alike was removed. With a Constitution by now accepted as the fundamental law of the country and with a majority party well ensconced in power, hopes about the success of parliamentary democracy in Nepal reached new heights.

III

Experiment in Parliamentary Rule

On 4 May 1959, true to the tenets of parliamentary rule, the Council of Ministers headed by Subarna Shamsher submitted its resignation to the King. The next day, the Congress legislators unanimously elected B. P. Koirala as the Leader and Subarna Shamsher as the Deputy Leader of the largest group in the Pratinidhi Sabha. (53) See Table I. Other reasons for the success of the Congress are discussed in the following Chapter.
For sometime though, doubts prevailed as to whether Mahendra would like to have B. P. Koirala as Prime Minister. This uncertainty increased as the King, due to inexplicable reasons, delayed the formation of the new Ministry. (54) On 16 May, however, a press note of His Majesty's Secretariat announced that the King had invited B. P. Koirala to submit a list of his cabinet colleagues within 15 days. (55) Following the compliance of this order, Mahendra proclaimed, on 27 May, the formation of Nepal's first elected Government which was asked to lay "the foundation of a democratic parliamentary system through the complete observance of the proclaimed Constitution as well as raise the standard of life of the Kingdom according to the rule of law." (56)

On 30 June 1959 the new Constitution came into force. On 24 July, the King inaugurated the joint session of Parliament and, on the same day, began the historic experiment in representative government in Nepal.

Position of the Elected Government

In many ways the newly elected Government, headed by B. P. Koirala, was in an advantageous position over all other

(54) As late as 9 May B. P. Koirala informed newsmen that so far he had not received any communication from the King. Kalpana, 9 May 1959. On 12 May, another Congress leader, Ganeshman Singh declared that, by delaying the formation of the new Government, the King was showing "disregard and indifference towards the democratic path." Ibid., 12 May 1959.

Later, the Speaker of the Pratinidhi Sabha told this writer that the King actually insisted that Subarna Shamsher should become Prime Minister, not B. P. Koirala.

(55) Halkhabar, 16 May 1959.

(56) Royal Proclamation of 27 May 1959. Nepal Gazette, 9 (13 Jaith 2016 B.S.) 33-5. For list of Ministers in the Cabinet see Appendix I.
governments which had preceded it. In the first place, the new Government had full support and backing of the voters. This position was clearly reflected in the Pratinidhi Sabha where the Nepali Congress enjoyed overwhelming majority. Secondly, as the Constitution had laid down, the Government was made responsible to the Pratinidhi Sabha and not merely to the King. Thirdly, it appears that Mahendra after initial hesitation also gave full support to the elected Government. He himself went to the length of declaring that the Government would enforce without fear or favour the laws promulgated to safeguard the interest of the peasantry. Land reforms will be motivated by the desire to bring good to the maximum number of people. ... To fix a ceiling to the land holding, to redistribute excess lands and abolish Zamindari System will also be matters holding the attention of my Government. (57)

Lastly, the personal popularity of B. P. Koirala served the Government in good stead. The political maturity and ideological clarity which he had acquired through years of learning endowed the administration with a new sense of direction which it had earlier lacked. On his part, B. P. Koirala was not anxious to antagonize the King. He was sincerely willing to work out the parliamentary system as laid down by the Constitution. (58)

At the same time the odds against the new Government were not negligible. The burden of past mistakes, administrative inefficiency, corruption and general mismanagement weighed heavily

(57) Address from the Throne (Publicity Department, HM Government, Kathmandu, 1959) 4.

(58) At a press conference held on 11 April 1959, Koirala stated that the new Constitution gave enough scope for the expansion of democratic rights in Nepal. See Kalpana, 11 April 1959.
upon it. In order to fulfil its election promise, the Congress Government had to reorganize the administration from the bottom. But in doing so it faced again the same hostility of vested interests of the old bureaucracy which had caused the failure of many previous governments. The slow process of parliamentary rule imposed further restrictions on the Ministry and sometimes made its task extremely exasperating. (59) The masses, on the other hand, were too impatient to understand the difficulties of the Government; they clamoured for reforms without any delay. This dilemma of the Government was explained by B. P. Koirala in these words

In view of the people, the Nepali Congress has formed a Government which wields entire authority and power, and this makes it easier for antagonistic elements to initiate and carry on propaganda against the Government. On the other hand there are the limits set by the Constitution; on the other there is the terrible problem of the country's poverty - both these factors make the position of the Government extremely vulnerable. (60)

But the immediate problem which the Government faced was the combined and concerted attack of all the opposition parties, ranging from the Communists to the extreme 'Rightist' elements like the Gurkha Parishad. Among the defeated leaders, K. I. Singh, Tanka Prasad Acharya and Ranganath Sharma declared open war on the Government by forming a new front, called the National Democratic

(59) B. P. Koirala told the writer, in 1960, that though he was the Prime Minister, he could not remove a single corrupt officer because of the limits imposed on him by the Constitution. He stated that the position of his Rana predecessors was, at least, better because they could do anything they wished.

(60) Presidential Address at the 7th Conference of the Nepali Congress (Kathmandu, 1960) 5.
Front. In a long statement issued to the press, these leaders described the Congress Government as "anti-national and reactionary," (61) and renewed the familiar anti-India baiting. The Communists too decided to line up with the Front in order to exploit popular dissatisfaction. But the worst danger came from among the diehard landowning groups who feared to lose everything if ever the Congress succeeded in implementing the reforms it had promised during the election. These groups made a combined cause with those frustrated politicians who indulged in irresponsible attack on the Government. (62)

Beginning towards Reform

Thus, the difficulties which beset Nepal's first elected Government were colossal. Yet it turned at once to the task of implementing the programme approved by the electorate. The new trend in economic policy was made clear when the annual budget was presented in the Pratinidhi Sabha in July 1959. It paid special attention to the increase in national income, the development of

(61) Resolution of the National Democratic Front (Kathmandu 1959) I (Typescript).

(62) At a public meeting at Kathmandu, B. P. Koirala declared

Till now, the protectors of the old order are trying to keep up their independent status, even for a short while, by laying down secret plans in Kathmandu and other places. They think that if they could put off the Birta abolition bill for a year, they would be able to save a net income of one crore rupees. Hence, to realize that end, they are even ready to spend even 30 to 40 thousand rupees.

Kalpana, 6 October 1959.
agriculture and the progressive levelling up of inequalities in the distribution of income and wealth. (63) As a first step towards the socialist goal, "progressive taxes" (64) like those on land, urban housing property, foreign investment, profit and remuneration were proposed in the budget.

The Government also took measures to stabilize the Nepali currency and made it available to the Terai areas where the problem of dual currency had been a source of numerous hardships. (65) An Industrial Development Corporation was set up to "offer medium long-term financial assistance to established and new industries." (66)

The biggest step, however, was taken when the Government introduced the Birta Abolition Bill in Parliament to do away with feudal proprietorship on land which had been the strangle-hold of the Rana system. The Bill laid down the principle of nationalizing Birta-lands with partial compensation. It was expected that the successful completion of this urgent land-reform would yield the State an additional income of about one crore of rupees. (67) In October 1959, the bill was passed by Parliament after a stormy and protracted debate.

(63) See Future Definite (Department of Publicity, HM Government, Kathmandu, 1960) 5.

(64) Budget Speech 1960-61 (Department of Publicity and Broadcasting (DPB), HM Government, Kathmandu, 1960) 22-3.

(65) Ibid., 1-2.

(66) Industrial Development Corporation: An Introduction (Kathmandu, 1960) 1.

B. P. Koirala also gave particular attention to the task of reorganizing the administration on a more rational and scientific basis. A screening test which had been first started in 1957 to regularize the appointment of government servants was resumed. The control of financial allocation to various ministries was taken over by the Ministry of Finance so as to avoid previous irregularities and financial mismanagement.

The Government passed a new legislation to set up three regional High Courts with powers to hear appeals and pass judgments in their respective jurisdiction. (68) With a view to speed the village development programme, measures were taken to set up a nation-wide net-work of Gaun Panchayats (village councils) and District Development Boards. (69) Simultaneously, a full-scale programme was launched to build roads, bridges, and improve the system of transport and communication in the country.

Problems in Internal Affairs

Thus, the breeze of change began to be felt in various departments of the Government. But as these works of reform proceeded, the difficulties of the Government also began to pile up. The first blow came from the forest contractors who opposed tooth and nail the bill on nationalization of forest lands. (70)


(69) For a full report on the proposed measures regarding the district administration see Jilla Prasasanko Nyaya Byavastha Ko Vivaran (DPB, HM Government, Kathmandu, 1960).

(70) Bishwa Bandhu Thapa, who was at that time the Chief Whip of the Congress Legislative Party, confided to the writer that even the King's brothers opposed the nationalization of forests as it threatened to deprive them of their contractorships.
Later, the dogged opposition of Birta-holders and big land-owners forced the Government to postpone the imposition of taxes and the abolition of Birtas until September 1960. (71) Meanwhile, the attitude of the nominated members in the Maha Sabha slowly crystallized into stubborn hostility towards every measure taken by the Government. Outside Parliament, the tripartite National Democratic Front started inciting the people to overthrow the ruling party and, early in November 1959, K. I. Singh declared that he would lead a nation-wide civil disobedience movement. (72) The scarcity of food in certain parts of Terai also gave the Communists an opportunity to organize anti-Congress demonstrations and meetings.

Along with these, certain sense of slackness overcame the Congress rank and file. Rifts in the local party bodies became rampant as rival groups demanded patronage from the central leadership. At the Seventh Conference of the Nepali Congress, held in May 1960, B. P. Koirala regretted that "narrowness of mind" (73) and parochialism were growing among the Congress workers. On its part, a section of the ranks demanded that the Government should carry out its election promises without interpreting "fantastic ideas as real and concrete." (74)

(71) See Budget Speech 1960-61, n. 64, 15.
(72) Kalpana, 16 November 1959.
(73) Presidential Address, n. 60, 5.
(74) Kalpana, 5 November 1959.
Problems in Foreign Policy

To make things worse, relations between India and China deteriorated over the issue of border demarcation at this time. (75) Being a close neighbour of the two great powers, Nepal found herself suddenly in an embarrassing situation. For so long as the cordial relations between India and China continued, it was easy for the Nepal Government to pursue a policy of peace and friendship with both the neighbours without exposing Nepal to the displeasure of either party. But now the situation altered. The suppression of the revolt in Tibet aroused considerable resentment in Nepal. The Nepali Congress, prior to its installation in power, had unequivocally condemned the Chinese "imperialist policy of enslavement" in Tibet. (76) But the realities of the new situation and the dangers of the cold war later made the Nepali Congress Government extremely cautious about the attitude it adopted towards the Indo-Chinese dispute. Though it persevered to follow a policy of keeping Nepal aloof from the dispute, mounting tension on the borders taxed the ingenuity of the Government to the utmost. On the one hand, the Government's strictly neutral attitude towards Communist China aroused the fear of those elements who suspected Chinese aggression on Nepal any day; on the other, those groups which wanted their country to remain clear of India, began demanding that the Government should follow a more friendly policy.

(75) For an account of the Sino-Indian dispute and its origin see Notes, memoranda and letters exchanged between the Governments of India and China, etc. White Papers Nos. 1-3 (Ministry of External Affairs, New Delhi, 1959-60).

(76) Kalpana, 2 May 1959.
towards China. In this constant tussle between one extreme and the other, even the unity of the Congress leadership began to crack. A section of the Party joined in the opposition charge that the Government was selling out the country to India.

The situation went out of control in the last week of November when the Indian Prime Minister declared in the Lok Sabha that "any aggression against Bhutan and Nepal would be regarded as aggression against India." (77) Considered from the point of view of India's policy towards Nepal ever since 1950, there was nothing unusual in this statement. As a matter of fact, as Nehru later explained, India's natural anxiety to defend border security did not necessarily signify that she was, anyway, interested in either dictating or interfering with Nepal's policy. (78) Nevertheless, the anti-Indian elements in Nepal seized this opportunity to blame India in every possible way. The Nepalese Communists raised the cry that India was indulging in cold war tactics. Tanka Prasad Acharya wondered if "in the name of Sino-Indian dispute," India was making an attempt to move troops into Nepal. (79) Curiously enough, the Gurkha Parishad which had been


(78) Prime Minister Nehru stated in the Rajya Sabha on 5 December 1959

We are going to take no steps in regard to Nepal or in Nepal; that is for the Government of Nepal to decide. But, it is of mutual interest, as stated here, for us to associate ourselves first of all in knowledge as to what is happening and secondly in the counter-measure that might have to be taken.

The Hindu (Madras), 6 December 1959.

consistently harping on the anti-Indian theme did not join the agitation this time. For B. P. Koirala, therefore, the new situation in foreign policy posed a double problem. Knowing India's real intentions as he did, he could not have joined the anti-Indian campaign to gain popularity. On the other hand, if he had maintained silence he would have faced the united charge of the Opposition that he was selling out Nepal to India. His difficult position, in fact, was clearly reflected when he welcomed Nehru's statement as "an expression of friendship" and added, in the same breath, that there "is no occasion for Nepal to seek anybody's help, and in the event of any aggression on Nepal, it is Nepal who will decide if there has been any aggression." (80)

In January 1960, Prime Minister B. P. Koirala visited India obviously with a view to acquaint the Government of India with the problems which his Government faced in the sphere of foreign policy. In a joint communique, issued on 29 January, the Prime Ministers of the two countries stressed once more "the similarity of approach to international problems by the two Governments and their desire to cooperate with each other in regard to them." (81) It was on the basis of this cordial understanding between the two statesmen that later, in September 1960, a new treaty of trade and transit was signed by the two Governments. (82)


(81) The Indian Express (Delhi), 29 January 1959. The Government of India also expressed its willingness to assist the development programme of Nepal to the extent of 18 crore rupees and agreed to revise the Trade and Commerce Treaty with Nepal.

In March, the Nepalese Prime Minister visited China and successfully negotiated an agreement with the Chinese leaders on Nepal's frontier with China and, also, an economic agreement, giving Nepal Chinese aid to the extent of Rupees 10 crores in addition to the aid given in 1956. (83)

IV

End of Parliamentary Rule

Deepening Crisis at Home

Thus, inspite of the strain and opposition, the Congress Government succeeded, for a while, in relaxing the tension across Nepal's borders. But the crisis at home began to deepen. The vested interests of land-owners, Ranas, Zamindars, etc., started preparing for a civil war to defeat the reform measures undertaken by the Government. Afraid of losing their traditional rights they began resorting to indiscriminate exploitation of the peasants and ejected them from their lands. The failure of the Government, on the other hand, to check these activities led to the suggestion that the Government was not interested in protecting the rights of the people. The peasant masses, in general, remained ignorant about the various laws which the Congress Government passed to safeguard their interests. As a result, they broke into sporadic revolts.

In August 1960, the peasants of West No. 1, where feudal oppression was the worst, took recourse to violence and widespread lawlessness. Speaking on the situation Home Minister S. P. Upadhyay said

(83) Text of the Treaty in News from Nepal (Kathmandu), 1 (12 April 1960) 3-6.
The distresses of West No. 1 are not only the manifestations of psychological struggle but also of economic and political struggle which have come to exist today between the exploited and the exploiters throughout the country. (84)

With the deterioration of the law and order situation the protagonists of the old order grew bolder. The conflict between the Congress Government and these elements now began to take the shape of a civil war. In October, Raja Ramjang of Bhajang, a feudal principality, openly defied the central authority. He refused to give up his prerogative of holding his own court and of imposing fines on the people. The Raja's son, Om Jang, captured some officers sent by the Central Government and looted the Forest Office. For sometime the local people sided with the rebel chief who later fled to India. (85)

The situation grew worse when a second revolt occurred in the district of Gorkha. The revolt was allegedly led by Yogi (saint) Naraharinath of the Karmavir Mahamandal, an ultra-rightist party. The Yogi and some of his followers began to spread baseless rumours among the people that the Congress Government intended to confiscate their property, impose taxes on women's pigtails, cattleheads and so on. (86) The Yogi declared himself to be a re-incarnation of the saint, Gorakhnath, and exhorted the people to rise up in arms against a "sinful" Government. This led to


(85) Motherland (Kathmandu), 22 September 1960.

cases of loot, murder and arson until, finally, the Government was forced to send army troops to suppress the revolt. (87)

Thus, inspite of the optimism which was felt after the election, Nepal once more drifted towards anarchy and political uncertainty. Finding the weakness of the Government, the opposition parties began to claim that the Nepali Congress should resign from office. In September, the Gurkha Parishad, the Praja Parishad, the Terai Congress and the Karmavir Mahamandal decided to form a new party. (88) Meanwhile, a section of the Nepali Congress led by M. P. Koirala joined the Opposition and demanded that the King should save the country from the Congress "dictatorship." (89)

On 15 December 1960, the King struck suddenly. He ordered the arrest of the Prime Minister and some of his colleagues and, on the same day, issued a proclamation dismissing the Government and dissolving Nepal's first elected Parliament. The King accused Koirala's Government of 1) misusing "authority in a manner designed to fulfil the party interest only," (90) 2) paralysing the...

(87) The Yogi, it seems, had very close contact with the Raja of Bhajang who was once the Secretary of the same Karmavir Mahamandal. Together they had attempted, in 1957, to build a party of the Rajahs and Chieftains. The dubious and shady activities of the Yogi were reported to the Government for a long time. See Kalpana, 28 November 1959; Divalo (Kathmandu), 19 May 1960.


(89) Naya Samaj (Kathmandu), 9 September 1960. In an article in the same paper M. P. Koirala accused the Government of helping the Communists and observed that the people were watching to see what steps the King would take 'to rectify the situation.'

(90) Royal Proclamation of 15 December 1960, On to a New Era, Some Historic Addresses of H.M. King Mahendra (Kathmandu, 1961) 2.
administrative machinery, 3) incapacity, 4) imperilling national unity and 5) of pursuing economic measures "undertaken on the basis not of scientific and factual analysis but the pursuance of purely theoretical principles. ..." (91) The King further stated that, as the Congress Government had worked against the interests of the nation and of democracy, he assumed to himself the direct administration of the country "till such time as may be required for the installation of an alternative arrangement." (92) Thus, after a brief interval of parliamentary rule, the King's personal regime was reimposed in Nepal.

In taking this drastic step, King Mahendra seems to have been impressed by the fact that the continuance of Congress rule would lead to further political unrest. As head of the State, the King perhaps could not afford to remain indifferent to these developments. Further, his action might have been indirectly influenced by the insistence of the Opposition that he should dismiss the elected Government. The severity of the royal action, however, became marked because of the series of arrests, prohibitory orders and punishments which he imposed immediately after his direct assumption of power. His proclamation also did not make it clear as to why it became necessary for him to suspend the Constitution.

Causes of the Failure of the Nepali Congress

The fall of the Nepali Congress Government was not totally unexpected. For sometime, reports about misunderstandings between

(91) Ibid.
(92) Ibid.
the Monarch and Prime Minister B. P. Koirala were becoming more and more rife. The opposition of certain top civil servants and military officers to the Government was also not unknown. A misquoted report of B. P. Koirala's statement about reorganizing the Nepalese Army created resentment among the army ranks. (93)

As most of the top officers of the Army belonged to the big landowning class and birta-holders, their fears about the consequences of the land policy of the Government were natural. The Government, on the other hand, did not take into account the opposition it would meet while carrying out its economic measures. It did not even make serious attempts to convince the people about the necessity of the reforms which it passed in the form of laws. As most of the top leaders of the Nepali Congress joined the Government, the activities of the Party in this particular respect remained almost nil. In fact, party organization became loose and slack after the general election. The majority of the Congress workers engaged more in furthering immediate interests or gaining patronage from the Ministers than implementing the directives of the Party. (94)

The opposition to the Government, on the other hand, went on mounting. The feudal element which had not reconciled itself to the idea of building a socialist system, was out to overthrow the Government by any means. The opposition parties who found themselves ineffectual or unrepresented in the legislature joined

(93) At a press interview held in August 1960, B. P. Koirala was asked whether he thought that Israel's military system was suitable for Nepal. In reply, he said "No. The situation of Nepal and Israel is different." News from Nepal, 1 (15 September 1960) 1-2.

(94) See also Chapter Six.
together to isolate the Nepali Congress. Even the parties which had no ideological differences with the Congress, adopted a position of unrelenting hostility towards the Government. B. P. Koirala himself described the difficult position of his Government in these words.

The forces arrayed against the Nepali Congress can chiefly be divided into two classes: - the first - those feudal elements which are still carrying on a defeated war. It cannot be said that they might not be guilty of undesirable activities in their despair at the defeat and in the frenzy of a desire for revenge. Actually it is these elements which are responsible for the encouragement afforded to most of the provocative and destructive activities there can be seen in the country today. They are greatly excited over abolition of Birtas. The proposed land reforms, the protection of the rights of peasants, the progressive tax levied on land etc., and the fixation of land ceilings and the proposal for the abolition of the Zamindary system etc. - such matters are being done or contemplated in the country which have raised unextinguishable and terrible fires of anger and revenge among the feudals. This group is trying to utilize the help of organizations repudiated by the people in our elections in its clumsy attempts to prolong its own existence.

There are similar anti-national elements also which by means of extreme slogans and destructive activities in the midst of our uncertainties arising out of our present transition period make more complicated our problems of development. This group is not only anti-national but it is anti-democratic also / sic / and desires to utilize the rights which democracy confers in order to produce such conditions as would destroy the very existence of democracy. (95)

Inspite of this timely warning, the Nepali Congress was unable to withstand the combined onslaught of these elements.

(95) Presidential Address, n. 60, 4.
The constitutional restrictions on the Government, the strong position of the King, and the weakness of the ruling party proved unequal to the stress and strain inherent within a changing society. With the King at the apex of power, party-politics, therefore, gave way to partyless politics as dispensated by him.