

**Rules Issued by
King Rana Bahadur Shah
on 1863 B.S.**

Whereas, it is issued in the name of *Subba* (a post) Mr. Madhay Sahi, Mr. Srinath Pant, Mr. Jagannath Ghimiraya, Mr. Ramsundar Thapa, Mr. Gajadhar Pantha, Mr. Krishnanada Lohani, Mr. Krishnananda Padhaya, Mr. Ramchandra Thapaliya, Mr. Ramchandra Siwakoti, Mr. Sribilas Padhaya, Mr. Karnabir Adhikari, Mr. Harinarayan Dotayal, Mr. Radhaballav Padhaya and Mr. Srikrishna Pantha;

Whereas, we have issued these Rules (*Sawal*), which shall come into force all over the country from west of the *Kanaka-Tista* and east of *Mahakali*, to dispense justice based on law but without any favour, bribery and corruption;

Whereas, each of you have to investigate in accordance with these Rules; anybody either small or a big one living in this country, if makes any complaint before you; you will not listen it *ex parte* and decide upon it; rather you will listen both the parties of a case; you will punish the offender if one is convicted based on the evidence; and the penalty you impose shall be based on the degree of criminality and investigate all this honestly for yourself also.

Details of the Rules

Rule 1. In a case, somebody has taken bribe since 1860 B.S., investigate (*Kayal Mukayal*) on it and impose a penalty of fine thrice of the amount which was taken as a bribe. And if somebody has accepted

bribe and cause any loss to the King before 1860 B.S., investigate (*Kayal Mukayal*) it and collect threefold of such bribe amount.

- Rule 2. In a case some occupies any house of a house-owner, without any fault of the owner or the formal order duly received, investigate on it and handover it to the owner. If the house was renovated by the leasee and there is a dispute on rent, investigate it and give the actual cost to the leasee and handover remaining amount to the owner. Collect a *Salami* (fee) from the owner and deposit it to the Palace.
- Rule 3. In a case, any of the Revenue Collector (*Ambali*) totally exempts anybody else from revenue (*Kalam, Rakam, Sirto*) without the command of the King or collects revenue partially for a reason of bribery, nepotism or any other favour, or reduces or misappropriates it; investigate the matter in detail and report it to the King.
- Rule 4. In a case somebody causes any harm to anybody else where he/she has committed no mistake (offence) or without the formal order of the King such an offender shall be punished and the victim shall be compensated.
- Rule 5. In a case somebody cultivates a virgin land; he/she shall record it and collect a document (evidence) for the same. If someone requests for cultivating a virgin land and a deed for that purpose is prepared but does not cultivate on such government land, such a person shall pay Rupees Twenty Five for each plot of paddy field *per anum* for not producing any crop on the land.
- Rule 6. Find out the income from the land (*Sera, Goth* and all other types of land) controlled (*Amanat*) by the Palace, check it out how much income is being deposited in the Palace; collect and deposit the arrears, if any, in the Palace; fine threefold of the misappropriated amount who commits such an act.

- Rule 7. If the *Ambali*, *Rakami* and *Ijardar* does not pay the remuneration (*Tanakha*) of an employee (*Tanakhadar*) or does not show the receipt for paying the remuneration, but has taken any discount (*Mojara*) from the government; cause to pay remuneration to the employee. In a case the employee does not want such an amount, collect and deposit it to the Palace. Punish to the *Ijaradar* and the person who gave discount (*Mojara*) without the permission of the King.
- Rule 8. Investigate who is misappropriating the amount of *Panchakhat* (five serious crimes), find it out and deposit it to the Palace.
- Rule 9. Investigate and find out how much amount of the new *Pota*, *Salami*, *Puchhai* of the buffalo, penalty of the *Jaishi*, *Tamrapatra*, trust inquiry, fine for milk adulteration, first gift to the King (*Gadimamarsi*), *batta danda*, gift (*Wolak*), income of the *Mahantamandali* has been collected; out of such amount how much money has been misappropriated; how much *Raiyat* has been collected? How much of it has been misappropriated? Collect and deposit all the money which has been misappropriated. Impose a fine of threefold of the misappropriated amount.
- Rule 10. In a case, someone uses unauthorized measurement and weighing equipments or circulates counterfeit money with *mala fide* intention, whether he/she is associated to the *Hitichowk* office or anybody else, or receives undue profit from the transaction; deposit it in the Palace and give an advise to the *Hitichowk* office not to use the unauthorized weighing and measurement instruments (*Mana*, *Pathi*, *Tulo Dhak*) in the course of transaction.
- Rule 11. In a case, somebody misappropriates small gifts; investigate and deposit it to what extent the offender confesses regarding the misappropriation.

- Rule 12. In a case, the *Purohit* (priest) misappropriates the gift (*Dakshina*) to be handed over to the *Brahmin* which was given by the Palace; investigate and reimburse it to the *Brahmin*; and also punish the offender.
- Rule 13. If somebody misappropriates the ornaments and other property related to the God and for the worship of the God; investigate it and if it is found misappropriated refund it and report the matter to the King as well.
- Rule 14. If someone misappropriates the money of the King or does not expend such a money received from the King, investigate it and deposit the same to the Palace.
- Rule 15. If somebody keeps the daughter of some particular castes (*Kasai, Kusalya, Dhobi and Kulu*) to make her a wife; and accepts water (*Pani Chalaunaya*) from them investigate it and punish him.
- Rule 16. If somebody destroys the *Pati, Pauwa* (buildings to be used by the public) temple and bridge, without a formal order, investigate it and impose punishment to the offender.
- Rule 17. If someone misappropriates the income of mines, investigate it and deposit the amount to the Palace and impose punishment to the offender.
- Rule 18. If somebody is engaged in incest, not accept as a tradition by the four castes and Thirty Six Creeds within our territory (*Ambal*), investigate it and impose a punishment based on the degree of criminality.
- Rule 19. If somebody was paying revenue (*Rakam, Kalam*) to the previous Kings but now denying to pay such an amount to the present King in our territory, find out the person and amount thereof, report it before the King and follow the order to be received.

- Rule 20. If somebody is found to have consumed narcotic drug (*Bhang, Charas*) or indulged in gambling since 1860 B.S., upon an investigation, punish the offender if he/she was not punished earlier. As well as inform to all that they will be punished, based on their caste, if they consume narcotic drug or indulge them in gambling.
- Rule 21. If any *Ijardar* or *Rakami* (authorized persons) are found to have imposed fine more than One Hundred Rupees to any other person and misappropriated such an amount, investigate and reimburse it and deposit the same to the Palace.
- Rule 22. If somebody, in the west of the *Kanaka* and east of the *Gadh*, which is our territory, has committed cow slaughter except the yak (*Chauri*), and has not paid for the punishment, or has committed any crime upon paying the fines; investigate it and send the offender before the King. Punish the person who conceals the offence of the cow slaughter. Cow slaughter is, hereby, prohibited. Inform public if they commit such crime they have to face a corporal (bodily) and economic punishment. Now, hereinafter, who commits cow slaughter he/she shall have to face death penalty.
- Rule 23. Find out where there is any concealment of inheritance of the *Magar* till the date. But leave the amount which is related to the contract (*Ijara*) and *Patta* of a *Jagir* (pay for the service).
- Rule 24. Record all the paddy field in the Company which is located in the west of *Kanaka* to the east of *Gadh* in *Palpa, Gulmi, Argha* and *Khanchi* where survey was being conducted in 1862 B.S. Conduct another survey by the *Dagol* and if it is found more than *Raibandi* (fixation of revenue) report the accurate fact and figure to the King. Wait the command of the King for a further action.

- Rule 25. The paddy field remained unrecorded in the Company shall be surveyed by the *Dagol* and the actual facts and figures shall be reported to the King. Wait the command of the King for a further action.
- Rule 26. Confiscate all the *Birta*, trust and all other types of paddy field handed over with a oath, if someone mentions an ignorant person as a neighbour upon conspiring with a *mala fide* intention who has the knowledge of survey, re-survey it and handover it to the *Tilanga*. Impose penalty to them who hand over it, receive it or take an oath (*Dharma Bhaki*).
- Rule 27. In a case the surveyor of the paddy filed surveys the land and records in someone's name accepting any bribe or due to nepotism or any other kinds of favour, confiscate all such land, conduct a survey of such land and record it accordingly. Punish who is being indulged in bribery, nepotism and favour.
- Rule 28. Investigate the *Khua Chhap*, copy (*Dharda*) it exactly and report it to the King.
- Rule 29. Take a measurement of the land from all the four sides, if any encroachment is found on the land confiscate it, conduct a survey by the *Dogol* and handover it to *Tilanga*. Punish if any encroachment is established.
- Rule 30. If somebody is cultivating a land (paddy field) saying it was protected (*Badha*) by the previous Kings, survey all such land, collect all the details, and if it is found more than the protected land, send all the details to the King. And wait the command of the King for a further action.
- Rule 31. If the surveyors of filed are found to have concealed the land in the disguise of *Shera*; survey it by the *Dogol* and handover it to *Tilanga*.

- Rule 32. Find out whether the surveyor has collected or not any money (*Salami*) from the owner of the land. Find out the details; report the same to the King. And wait the command of the King for a further action.
- Rule 33. If the debtor denies to pay the amount credited from the lender or if a lender overpowers to take a interest more than Ten percent *per anum*; and if anyone of them files a lawsuit; accept it, evaluate the evidence and make decision on it. The additional amount collected more than Ten percent shall be deducted from the principal amount; and One Forth amount shall be collected in our fund.
- Rule 34. Report all the details of the lands (paddy field) which were confiscated in the years of 1861-62 B.S. in different parts (*Thum, sahar, Gaun*) of the country. Find out and report who got the crops of those Two years. Further report which company (army unit) or any other person is getting such crops since 1863 B.S. Impose a fine of double of the amount of the crops if anybody is grabbing the crops without the order of the King.
- Rule 35. Confiscate the entire property of a *Brahmin* or *Chhetri*; if someone from them is found drunk and outcast them from their caste. Except otherwise these Two castes, if any other *Tagadhari* (who wears holy thread) if found drunk punish them heavily and outcast them from their own caste.
- Rule 36. If, the land which was received as a pay for a government job (*Jagir*) in the time of *Nepalaya* King, but now someone is concealing it to pretend the land to be a *Pota, Tari, Birta* in our rule, such a person shall be punished. Confiscate such land and handover it to the company (army unit).

- Rule 37. If someone files a complaint against a record court, *Amali* or any other office, for doing any injustice, investigate, hear and decide the case. Deposit the fine and *Jitauri* (winning amount) to the King.
- Rule 38. In case, somebody conceals the *Jhara* and misappropriates any amount (takes money), deposit such an amount before the King.
- Rule 39. If the land distributed by the King of Nepal as a pay or subsistence amount (*Manachawal*) is concealed pretending it to be a *Sunabirta* land after our rule, confiscate such land from such owner upon filing a case. Impose a fine to such person. And report it to the King and wait for an order for further action.
- Rule 40. If someone misappropriates any property of the Palace, investigate on it and return it to the Palace.

Done on 1863 B.S., Baisakh Badi 3, Sunday

Courtesy: Law Related Some Historical Documents (in Nepali), Lawyer's Club, 2063, Pp 85-89