

Unit: 1 Introduction

- Origin of Nepal: Nepal as a Sovereign Country
- Geography-Location
- Political History- Ancient Period, Medieval Period, Shah Period, Rana Period
- Modern Nepal

Origin of Nepal- Nepal as a Sovereign Country

- Nepal is an ancient country, History dates back to 11000 years .
- It has its own myths and legends about its Origin
- Swayambhu Puran and Nepal Mahatmya tells that There was a Lake (Nagratha) in Kathmandu valley.
- There was Swayambhu which was appeared on lotus that grew out of the seed thrown in the lake by **Bipasvi Buddha** (who came to Nepal in sometime in the Golden age)

Contd...

- Bodhisatwa Mahamanjushree/ Majushree came from China (Mahachin) on Pilgrimage sometime in Tetrayuga to pay unreserved homage
- Manjushree cut a rock (at Chovar) through which the water of lake flowed out and made the valley habitable and cultivable (Shrestha & Singh, 1972)
- Test of geographical and Geological Survey also proved that Nepal was once a lake.
- Manjushree founded a town which was extended from Swayambhu to Guheshwori and was named Manjupattan

Contd...

- Manjushree made Dharmakar (one of his disciple) the King of Majupattan and returned to China
- Dharmakar ruled over in his own way, as he had no issue, he made Dharmapal his successor. Dharmapala is said to have come to Nepal with Krakuchhanda Buddha
- After Dharmapala, Kashadhoj, brother of King Janaka, and some other Kings ruled over the country successively.

- According to Hindu myths, Lord Krishna came to Kathmandu valley also called Nagadaha, made gorge at Chovar and made the land habitable. In the plain land beautiful place, many cowherds came stayed,
- According to Gopal Vansawali, (add story of Pashupatinath) A cow regularly offered the milk in a same place, excavated, Shivalinga of Pashupatinath found, the cowherd dead by the jyoti of Shivalinga, His son Bhuktaman was made King by the Sage “Ne” who reside at Teku Dovan of Bagmati and Vishnumat in Kathmandu. Then Gopal Dynasty was started

- Gopal Dynasty ruled about 500 years by Eight Kings
- Mahishpal Ruled about 161 Year by three Kings
- Kiratis Entered from Northeast Nepal and Defeated Mahishpal, Kirati King Yalambar Ruled over Nepal and Total 32 Kirati Kings Ruled about 800 years in Nepal. Lord Buddha Visited Valley during the period of 7th King, Jitedasti. Last king was Gasti. The name Nepal was also Mentioned in Kautilya's book Arthashastra during this period.
- Soma Dynasty ruled Nepal for short time from Godavari. They were Rajputs Kshetria. 5 Soma Kings Ruled Nepal

- Lichchhavis Entered in Nepal from Vaishali of India. **Supushpa** was the First King of this dynasty. It is believed that they started ruling Nepal from 100 AD. But the Lichchhavi period is taken as after 400 to 750 AD
- 750-1200 AD is taken as Transitional period and Dark Age, No official records were found
- Malla Dynasty 1200-1768 AD. Three Powers rose in Nepal. Khas State in West, Tirhut/Doya in Terai and South; and Nepal Mandal in Valley. Ari Malla was the first malla King who ruled from 1200 to 1216 AD.

- **Kanakmuni Buddha** came to Nepal on pilgrimage and then sent Prachanda Deva (from Gaud, Present Bengal) in Nepal as King.
- **Prachanda Deva** built *Basupur, Agnipur, Bayupur, Nagapur and Shantipur* shrines at Swayambhu and dedicated to different elements of nature as Earth, fire, water etc.
- After his death, **his son Shakti Deva** ruled over Nepal
- After Him, **Gunakam Deva and His Son Simha Ketu** Ruled over the valley. Gunakam Deva is said to be founder of Kathmandu City, must have extended the territory.

- Many rulers ruled over Nepal but always remained Independent and Sovereign.
- There is no independence day in Nepal
- Chinese Traveller Huen Tsang had also mentioned the ruling system of Nepal in his travel diary.

1.2. Geographical Location of Nepal

Nepal

- Full Name: Federal Democratic Republic Nepal
- Nepal is a Beautiful country located in between India and China
- Occupies : 0.03 % of world and 0.3% of Asia
- Global Position Coordinates:
 - 26° 22' to 30° 27" North Latitude (° for Degree)
 - 80° 4' to 88° 12' East Longitude
- Area : 147,181 Sq.Km
- East –west Length : 885 Km
- North South Width: 193 Km
- Per capita Income: \$998
- Below Poverty : 25.16 %

- Nepal Lies on the Southern Slope of great Himalayan Mountain in Northern Hemisphere of Globe
- Millions of Years ago, The Himalayan mountain range was a SEABED (Tethys Ocean)
- Divided into Three Major Geographical Region: Mountain, Hill and Terai
- Three Major river region/Basin: Koshi , Gandaki and Karnali

- States: Seven
- Population : 292, 18867 (approx 29 Million 2019 Pojected)
- Local Bodies: 753
 - Rural Municipalities: 460
 - Municipalities: 276
 - Sub Metropolises: 11
 - Metropolises : 6
 - District : 77

Three Major Geographical Regions

1) Mountain Region / Himalayan Region

- covers 15 percent land area
- altitude ranges from 3000 m to 8848 m
- Altitude of 5500 m is Snowline
- (8)Eight out of 14 Eight-thousanders mountain lie in Nepal

Mountains of Altitude above 8000m

- 1) Mt Everest : 8848m
- 2) Kanchanjungha : 8586m
- 3) Lhotse : 8516m
- 4) Makalu : 8463m
- 5) Cho oyu : 8201m
- 6) Dhaulagiri: 8167m
- 7) Manaslu: 8163m
- 8) Annapurna: 8091m

- Temperature falls below Freezing Point (0° Degree Celcius) and rises upto 15° Deg - 19° Deg Celcius
- Population: 1,781,792 (2017 Proj.)
- Major Inhabitants: Sherpa, Thakali, Mugali, Manage, Bhote, etc.
- Plants: conifers and Alpine Meadew
- Animals : Chyangra, Sheep, Chauri, Snow Leopard
- Major Locations: Taplejung, Solukhumbu, dolakha, Rasuwa, Sindhupalchok, Manang, dolpa, Mugu, Bajhang, Jumla

- **2) Hilly Region :**

- It is Middle part of Nepal
- Altitude ranges from 300m to 3000m
- Temperature: 0° deg to 36°-38° deg Celcius
- Covers 68 % Land Area
- Width 75 km to 125 Km
- Major Ranges : Mahabharat range 1524m- 3159m, Lek (parbat) and Churiya/Siwalik range

- Population: 11,394,007
- Major Inhabitants: Rai, Limbu, Gurung, Magar, Bhahmin, Tamang, Chhetry, Newar, Gandarva, Pariyar, Biswokarma
- Plants: conifers Evergreen are found in Mahabharat lek, Deciduous forest in Lower part,
- Major locations: Kathamandu, Pokhara, Surkhet, Tansen, Sankhuwasava, Okhaldhunga, Kavre,

3) Terai Region

- Southern Part of Nepal
- Terai Extends upto Gangetic plain of India
- Covers 17% land Area
- Provides Excellent Farming and Industrial Area
- Population : 13, 318,705 (About Half)
- Altitude ranges from 60m to 300m
- Main Food Source Area of Nepal
- Temperature: 12°-13° deg to 42°-46°deg Celcius
- Fertile Alluvial Soil

- Further Divided into Three parts:
 - Main Terai (Nepalgunj, Biratnagar)
 - Inner Terai (Dang, Udaypur,) also called Doon
 - Bhawar Prades (land Between south of Lower Himalaya and Siwalik or area parallel to siwalik)
- Animals : Royal Bangali tiger, Onehorned Rhino,
Wild Elephant, Gariyal crocodile, Leopard
- Plants : Paddy, wheat, Mustard seeds, Jute,
Sugarcane, Cotton,

- Major Inhabitants: Tharu, Rajvanshee, Satar, Dhimal, Ganagai, Yadav, Rajput
- Major Languages: bhojpuri, Maithili, Tharu, Awadhi,
- Major Locations: Biratnagar, Bhairahawa, Janakpur, Nepalgunj, Dhangadhi, Mahendranagar

स्थानीय तहवार सामान्य ज्ञान

- ☆ जिल्ला संख्या ➡️ ७७ वटा
- ☆ महानगरपालिका ➡️ ६ वटा
- ☆ उपमहानगरपालिका ➡️ ११ वटा
- ☆ जम्मा गाउँपालिका ➡️ ४६० वटा
- ☆ जम्मा नगरपालिका ➡️ २७६ वटा
- ☆ जम्मा वडा संख्या ➡️ ६७४३ वटा
- ☆ नगरपालिकाविहिन जिल्ला ➡️ ४ वटा
- ☆ गाउँपालिकाविहिन जिल्ला ➡️ २ वटा
- ☆ सबैभन्दा कम स्थानीय तह भएको जिल्ला
➡️ पूर्वी रुकुम (३ वटा)
- ☆ १८ स्थानीय तह भएका २ जिल्ला
➡️ धनुषा, सप्तरी
- ☆ १७ स्थानीय तह भएका २ जिल्ला
➡️ सिराहा, मोरङ
- ☆ सबैभन्दा धेरै स्थानीय तह भएको जिल्ला
➡️ सर्लाही (२० वटा)
- ☆ सबैभन्दा ठुलो महानगरपालिका ➡️ पोखरा-लेखनाथ
- ☆ गाउँपालिकाविहिन जिल्ला ➡️ भक्तपुर र काठमाडौं
- ☆ नगरपालिकाविहिन जिल्ला
➡️ रसुवा, मनाङ, मुस्ताङ र पूर्वी रुकुम।

SOVEREIGNTY

Concept, Meaning, Characteristics and
Kinds of Sovereignty

Sovereignty: Concept

- The concept of sovereignty became the main idea of modern political science.
- The word sovereignty is derived from the Latin word *superanus* which means *supremacy or superior power*.
- Sovereignty is in essence about the power to make laws and the ability to rule effectively.
- It is a legal concept .It is regarded as the most significant & essential element of the State.

- The state is regarded as supreme, having supreme legal power over all individual and associations.
- It has power unrestrained to make laws, issue commands & take decisions, which are binding on all, within its jurisdiction.
- The sovereign has commending coercive power to punish those who disobey its orders & decisions.

Meaning

- ✦ The term sovereignty has been derived from the Latin word '*Superanus*' which means *supreme*.
- ✦ It is supreme power of the State to take any decision regarding with internal and external matters of the country.
- ✦ It makes a state independent & supreme.
- ✦ It is internal supremacy & external independence.
- ✦ It is free to make its own foreign policy decision without any external pressure.

Origin of the Term



- Although the term “sovereignty” is modern, the idea goes back to **Aristotle**, who spoke of the “**supreme power**” of the state.
- The Roman jurists and the civilians throughout the Middle Ages likewise had the idea, for they frequently employed the terms *summa potestas* and *plenitudo potestatis* by which to designate the supreme power of the state.
- The modern terms “sovereign” and “sovereignty” (*souverain, souverainete*) were first used by the French jurists in the fifteenth century.

Origin...

- Jean Bodin (1530-1596) in the sixteenth century was the first writer to discuss at length in his “**Six Books on the Republic**” the nature and characteristics of sovereignty.
- Originally conceived as a personal attribute of the monarch, sovereignty came in the hands of Bodin to be regarded as a constituent element of the state.
- Niccolo Machiaveli (1469-1527), Thomas Hobbes (1588-1679), John Locke (1632-1704), and Montesquieu (1689-1755) are also key figures in unfolding the concept of sovereignty.

Definitions

- **Jean Bodin:-**

“the supreme power of the state over citizens and subjects, unrestrained by law”.

- **Hugo Grotious :-**

“the supreme political power vested in him whose acts are not subject to any other and whose will cannot be overridden”.

Jellinek :-

“that characteristic of the state by virtue of which it cannot be legally bound except by its own will, or limited by any other power than itself”.

Definitions

Duguit:-

“commanding power of the state; it is the will of the nation organized in the state; it is the right to give unconditional orders to all individuals in the territory of the state”.

Burgess:-

characterizes it as “original, absolute, ultimate power over the individual subject and all associations of objects. Again he calls it the “underived and independent power to command and compel obedience”.

Charateristics / Attributes of Sovereignty

- Permanence
- Absoluteness
- Originality
- Exclussiveness
- Comprehensive
- Unity
- Indivisibility

Characteristics/Attributes

Permanence

- Permanence is the chief characteristics of sovereignty.
- Sovereignty lasts as long as an *independent state lasts*.
- The death of the king , the overthrow of the government does not affect sovereignty.
- It rests with the state as long as the State is independent. State & sovereignty can not be separated from each other.
- It is permanent in that it exists as long as the state exists. The ruler can be died but the state is permanent¹⁰

Characteristics

Absoluteness

- Sovereignty is absolute and unlimited.
- There can be no legal power within the state superior to it, and there can be no legal limit to the supreme law making power of the state.
- Sovereignty can not be limited or restricted by any superior power within the State or outside the State.
- The sovereign is dependent nor neither accountable to anyone. the state , the will Within of the sovereign is

Originality

- By originality we mean that the sovereign handle power by virtue of his own right not by virtue of anybody's mercy

- Exclusiveness

- By exclusiveness is meant that there can not be two sovereigns in one independent state.
- If two sovereigns exist in a state, the unity of that state will be destroyed. There can not exist another sovereign state within the existing sovereign state.

Universality / Exclusiveness

- The state is all comprehensive and the sovereign power is universally applicable.
- No association or group of individuals, however rich or powerful it may be , can resist or disobey the sovereign authority.
- Every individual and every association of individual is subject to the sovereignty of the state.
- Sovereignty makes no exception and grants no exemption to anyone.

Continued....

- It is all comprehensive & universal.
- The state authority extends to all persons, things , groups & association within its territory without any exception.
- It is a master & others are its sub-ordinates.no one has either authority , or the capacity to challenge its power.

Unity

- Unity is very spirit of sovereignty.
- The sovereign state is united just as we are united.
- It can not be divided withoput producing several wills of the people, which is inconsistent with the notion of sovereignty

Indivisibility

- Sovereignty can not be divided into parts. The exercise of its powers may be distributed among various governmental organs, but sovereignty is a unit, just as the state is a unit.
- “Sovereignty is entire thing to divide it, is to destroy” because it represents supreme will of the state.
- Once it is divided , it no more remains a will.
- There can not be two sovereign in a state.

Inalienability

- Sovereignty is the life and soul of the state and it can not be alienated without destroying the state itself. ([Alienation =Loss of Support](#))
- It means that sovereignty can not be transferred to any one other body without destroying.
- It can not be separated from itself.

Continued.....

- Alienation of sovereignty by a state would mean destruction of the state itself- “No sovereignty, no state”.
- If a sovereign resigns, it does not imply alienation of sovereignty . It amounts to merely a change in the form of government. The government is only an agency to execute the will of the sovereignty.

Continued.....

- It can make laws, amend or repeal them. it can amend the constitution. It can use coercion for the execution of laws within its territory.
- There is no outside authority to pressure on State. It is not bound any international treaties ,even if, it has been a party to them.

Major Aspects of Sovereignty

Internal sovereignty

- Sovereignty is normally understood as possessing **two distinct aspects: *internal and external***.
- Sovereignty within the national sphere is known as internal sovereignty.
- A state which possesses internal sovereignty is **in command** over its society.
- In this situation there is **no alternative** sites of authority within the nation which has the authority and ability to exercise of

Major...

External sovereignty

- External sovereignty concerns the relationship between a sovereign power and other states.
- The term external sovereignty is employed by some writers to mean nothing more than the freedom of the state from subjugation to or control by a foreign state.
- That is supremacy of the state as against all foreign wills, whether of persons or state.

Kinds of Sovereignty

Nominal & Real Sovereignty

In ancient times many states had monarchies and their rulers were monarchs. They wielded absolute power and their senates were quite powerless. At that time they exercised real sovereignty and regarded as real sovereign. For example, Kings were sovereigns and hence were all powerful in England before fifteenth century, in USSR before the eighteenth and nineteenth centuries and in France before 1789.

Titular(Nominal) & Actual (Real) Sovereignty:-

✦ *Titular sovereignty* implies sovereignty in the ‘title’ or by designation.

A titular Sovereign is supreme only in name. Ex: The king of England, Indian President , their powers are exercised by the Prime Minister & the cabinet.

✦ *Actual sovereignty* means real executive which possess real power of state.

✦ Ex: P.M of India, U.K & President of U.S.A

Kinds of Sovereignty

Legal Sovereignty

- Legal sovereignty is the supreme law-making authority.
- The legal sovereign, therefore, is that determinate authority which is able to express in legal form the highest commands of the state.
- For instance, the parliament is the legal authority to exercise legal sovereignty.
- Only its commands are laws. It is recognized by law. It reside in one person or body of persons.

Kinds of Sovereignty

Political Sovereignty

- It is vested in the body of citizens who have a right to vote. it is supreme in democracy.
- Its will is expressed through election & public opinion. It influences the decision, policies & laws made by the legal sovereign.
- The legal sovereign has to act according to the will of the electorate. Electorate is a political sovereign.
- the electorate constitutes the political sovereign, under sense

Continued.....

- It means the power of the masses as contrasted with the power of the individual ruler of the class.
- It implies manhood, suffrage with each individual having only one vote and the control of the legislature by the representatives of the people.
- In popular/ political sovereignty public is regarded as supreme.
- In the ancient times many writers on Political Science used popular sovereignty as a weapon to refuse absolutism of the monarchs.

De jure Sovereignty

- *De jure* sovereignty is the legal sovereignty and it has foundation in law.
- Its attribute is the right to govern and command obedience.
- It is source of law & has a legitimate claim to the obedience of its subjects. It is a legal sovereign.
- it has legal right on its side and is lawfully entitled to command and exact obedience.

De facto Sovereignty

- It is the actual sovereign – a sovereign which is actually obeyed by the people. It is purely based on physical force or religious influence.
- *De facto* (or actual) sovereignty is the sovereignty which is actually able to make its will prevail, though it may be without legal basis.

- That person or body of persons who actually exercises power, and who, for the time being, is able to enforce obedience, or to whose commands voluntary obedience is given by the bulk of the people, is called the *de facto* sovereign.
- The criterion of sovereignty is actual obedience to commands.

Conclusion

- Nation states still matter. They are the sources of power with which most people readily identify. Power becomes meaningful only in reference to sovereignty.
- Moreover, terms like community obligation legitimacy, authority, state government and constitution ...all are integrated and made coherent by the concept of sovereignty.
- It is a unifying theory, not a simple description. It is a doctrine which deals with facts of political life, and not fantasies.



ANCIEN T NEPAL

POLITICAL HISTORY OF NEPAL





ETYMOLOGY OF THE WORD 'NEPAL' (नेपाल)

- ❑ The kings of the **Gopala dynasty** ruled over it. They were called 'Nepa', so, after the name of the dynasty, the country was named as 'Nepal'.
- ❑ A **sage called 'Ne'** lived in penance on the confluence of the Bagmati and Bishnumati rivers. He was the sole advisor of the king. So, the word 'Nepal' was derived from the name of the sage 'Ne'.
- ❑ 'Nepal' might also be **derived from 'Newar'**, one of the ancient tribes living in Kathmandu valley.
- ❑ Acc. to the Gandaki Mahatmya, a **king called 'Nepa'** ruled over it. He conquered many kingdoms and established Shanker as his deity. He founded a country and called it 'Nepal', after his own name.
- ❑ In the **Tibetan language** 'Ne' means 'home' and 'pal' means 'wool'. Sheep were reared in Kathmandu valley and much wool was produced. So, it was called the home of wool, i.e., Ne Pal.
- ❑ In the **Newari language** 'Ne' means 'centre' and 'pa' means 'country'. So, 'Ne pa' means a country situated at the center. Nepal is situated in between the two great countries, China and India.



NOMENCLATURE OF THE WORD 'NEPAL' (नेपाल)

- ❑ In the **Limbu dialect** 'Ne' means 'plain area'. Kathmandu valley is a plain, so it was called 'Nepal'.
- ❑ In the **dialect of the Lepchas**, 'Ne' means 'holy' and 'pal' means 'cave'. As it is a holy place - the center of pilgrimage of Hindus and Buddhists, it was called a holy cave.
- ❑ In the language of the **Tibeto-Burma** people, 'Ne' means 'cattle' and 'pa' means 'people'. Kathmandu valley had a good grassland for cattle and the main occupation of the people was to rear animals. So, it was called the land of the people who reared animals, i.e., Nepal.
- ❑ **Thomas Young and Geroge Griharson**, the two famous historians gave thier opinion that both the terms 'Nepal' and 'Newar' might be derived from the same root 'Nyarva'. In this way, Nyarva was turned into Newar and then to Nepal.
- ❑ Kiratas, the earliest known inhabitants of this country, had a clan called '**Nepar**' living in Kathmandu valley. So, Nepal might also be derived from Nepar.
- ❑ The Sanskrit word **nepalaya** means "at the foot of the mountains" or "abode at the foot"; *Nepal* may be derived from this.
- ❑ The Tibetan word **niyampal** means "holy land". *Nepal* may be derived from it.



THE MYTHOLOGICAL PERIOD

- ❑ The country, full of great forests, was the chosen **place for sages** like Kanwa, Biswamitra, Agastya, Valmiki, Yajnavalkya and others.
- ❑ Janak, the king of Janakpur was known widely for the administration of justice.
- ❑ Some people believe that the **Ramayan was composed at the bank of the Saptagandaki.**
- ❑ It is believed that **Veda Vyasa was born** here. The Vyas Cave at Damauli (Vyasnagar) signifies this belief.
- ❑ Similarly, Biratnagar, **the kingdom of King Birat** is also mentioned in the Mahabharata.

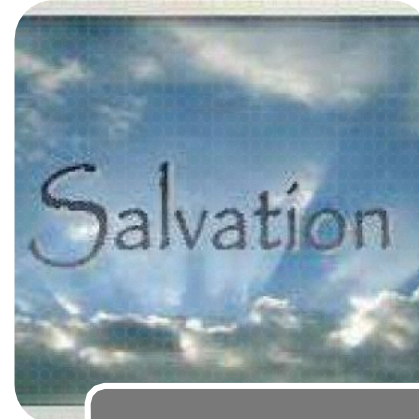
MYTHOLOGICAL PERIOD



Satyayug
(land of truth)



Tretayuga
(Land of meditation)



Dwaparyuga
(land of salvation)



Kaliyuga
(Nepal)

Age of truth(Satyayug)

Manu-first King of the world ruled Nepal in the and Nepal was known as the Land of Truth.

Silver Age (Treta Yuga)

It was called the land of solitary meditation and penance (Tapovan).

Copper Age(Dwapar Yuga)

Nepal was known as the ladder of salavation (Muktisopan).

Iron Age(Kali Yuga)

It is known as 'Nepal' in the, present age of science and technology.



THE LEGENDARY PERIOD

There is no definite historical proof of this period.

On the basis of legends, chronologies and folk-lore, a history is drawn on supposition. So, this period is called legendary period.

1. 'Nagadaha'

The Kathmandu Valley consisted of a big lake. The lake was surrounded by hills on all sides and there was nothing but water in it.

2. Beginning of Civilization:

Manjushri came from Maha China, Cut a passage through his sword, and make the Kathmandu valley habitable by draining out the water and went to worship Swoyambhu and founded a beautiful City Manjupattan. Manjushri appointed to his disciple **DHARMAKARA** the first king of valley.



THE LEGENDARY PERIOD

3. Historical Age:

In Dwapar age the Danasur started giving trouble and Krishna came to Nepal valley and killed all Danasur. The cow herds who accompanied Krishna remained of Kathmandu valley. Later Ne sage appointed **BHUKTAMAN to be the first king of this line Nepal valley** at that age.

4. **Prachanda Dev** At the end of the Dwapar Yuga, the king of Gaud (Bengal) came to Nepal to worship Swayambhu and Guheswari and became a monk.

5. The last king of Kushadhoj's dynasty died childless. So, Prachanda Dev's son Shakti Dev came from Gaud and made one of his relatives **Gunakama Dev, the king of Nepal.**



SHAKYA

- ❑ The Shakya were a clan of the late Vedic period (1000-500 BCE).
- ❑ Shakya **capital was Kapilavastu**, which may have been located either in Tilaurakot, Nepal
- ❑ The **best-known Shakya was Siddhartha Gautama Shakya**, who was the founder of Buddhism (6th to 4th centuries BCE) and came to be known as Gautama Buddha.
- ❑ Siddhartha was the son of Śuddhodana, the chosen leader of the Śākya Gaṇarājya.



JANAKA

- ❑ Janak is the name used to refer to the **kings of Videha or Mithila kingdom.**
- ❑ Janaka Dynasty ruled the Videha kingdom from their capital, Mithila, in modern days known as Janakpur.
- ❑ King Janaka, who probably reigned during the 7th century BCE, is mentioned in the late Vedic literature as a **great philosopher-king.**
- ❑ King Janaka is also **mentioned in the Ramayana epic.**
- ❑ **Janaka is the father of Sita**, the heroine of the Hindu epic Ramayana.
- ❑ His conversation with Ashtavakra is recorded as **Ashtavakra Gita**, wherein he is depicted as one realised and this tested by the sage Ashtavakra.
- ❑ Under his reign, Videha became a dominant political and cultural center.

ANCIENT HISTORY OF NEPAL

The history of Nepal is mainly classified into:

- **Ancient**
- **Medival**
- **Modern**

The rulers of ancient period were as follows:

- **First ruling dynasty- Gopal dynasty**
8 kings ruled around 500 years.
- **Second ruling dynasty- Mahispal dynasty**
3 king ruled around 150 years.
- **Third ruling dynasty - Kirat dynasty**
29-32 kings ruled around 1600 years





ANCIENT HISTORY

The documented history of Nepal begins with the Changu Narayan temple inscription of King Manadeva I (464–505 AD) of the Licchavi dynasty.

Gopal ▶

Mahispal ▶

Kirat ▶

Som ▶

Lichhavi ▶

Thakuri ▶



THE GOPAL DYNASTY

- ❑ Gopal bansa or "**Cowherd family**" are said to have ruled for some 621 years.
- ❑ Danasur (a demon) filled the valley with water. So, Lord Krishna came to Nepal, killed Dansasur and drained out the water through the gorge of Chobar, and peopled the valley.
- ❑ A large number of cowherds had come along with Lord Krishna and they settled in Nepal.
- ❑ Nemuni, who according to a legend, is considered to be the patron saint of Nepal. He selected a pious cowherd, **Bhuktaman** to be the first king in the line of the gopal (cowherd) dynasty.
- ❑ **Yakshya Gupta** was the last king of this dynasty.
- ❑ The Gopal dynasty is supposed to be **the beginning of the historical dynasty in Nepal.**
- ❑ In course of time this dynasty was replaced by the 'Ahirs' or 'Abhirs'.



MAHISPAL

- ❑ After the end of Gopal dynasty in Nepal the Ahir (Mahishpal) dynasty came to the power. They were from the plains of India. They used to keep buffaloes.
- ❑ Ahir was another cowherd and shepherd race from India. Three kings of this dynasty ruled over Nepal. They were Badasimha, Jaymati Simha and Bhuban Simha.
- ❑ In Sanskrit buffalo is called mahis. So they were started to be called mahishpal.
- ❑ Only three of mahishpal dynasty ruled for 111 years. the last king of this dynasty was bhuvan Singh. Both animal husbandry and agriculture were the main occupation of the people in this period.
- ❑ Bhuban Simha was defeated by Yalamber, the chief of the Kiratas, who invaded Nepal from the east and became the first Kirat king of Nepal.



KIRAT DYNASTY



- ❑ Nepal's recorded history began with the Kiratis, who arrived in the 7th or 8th century BC from the east. The *Kirats* ruled for about 1225 years (800 BC-300 AD).
- ❑ They had a total of 29 kings during that time. Their first and remembered king were *Yotamba Haang*, better known as *Yalambar*. It is assumed that he ruled Nepal at about 785 BC.
- ❑ Little is known about them, other than their deftness as sheep farmers and fondness for carrying long knives. It was during this period that Buddhism first came to the country.
- ❑ They were short and had robust bodies, broad checks, flat noses, thin whiskers, and dark eyes. They were well trained in the art of warfare, and were very skillful archers.
- ❑ Present Gokarna was their capital.
- ❑ They worshipped Kiranteshwor Mahadev of Pashupati.



KIRAT DINASTY IN EPICS

- ❑ The epic **Mahabharata** mentions the *Kiratas* among the inhabitants of Nepal.
- ❑ Kirati king Yalambar had the dubious honor of being killed in the battle of the Mahabharata, in which gods and mortals fought alongside each other.
- ❑ It is said that during the battle of Mahabharata, Yalambar went to witness the battle with a view to take the **side of the losing party**.
- ❑ Lord Krishna, knowing the intention of Yalambar and the strength and unity of the Kiratas, thought that the war would unnecessarily be prolonged if Yalambar sided with the Kauravas.
- ❑ So, by a clever stroke of diplomacy, **Lord Krishna cut off Yalambar's head**.
- ❑ They have been mentioned as **brave warriors** in various ancient Mythological manuscripts.
- ❑ The Kirats have been mentioned not only in the different genealogies of Nepal, but also in the Puranas.
- ❑ From the sources like **genealogies, Pashupati Purana, Nepal Mahatmya, Skanda Purana** etc. the fact reveals that Kirat dynasty had ruled Nepal before the Lichhavi period can be revealed.



THE KIRATIS

It is also mentioned that later Kirats were defeated by the Lichhavies.

Although none of the archaeological proofs belonging to Kirat period have been found till date, but in the inscriptions of Lichhavi period we can find different villages, administrative units and various other names naming after Kirati words.

Gasti was the 29th and the last King of Kirat Dynasty.





SOME MAJOR KIRATI KINGS

1. Yalambar

- ❖ Yalambar is regarded as the founder of Kirat monarchical dynasty.
- ❖ He was very brave.
- ❖ He had established the Kirat regime by defeating Bhuwansingh, the ruler of Mahispal dynasty.
- ❖ In some contexts he is also found to be said as 'Yalung'. It is also believed that Yal , the old name of Patan city was named after him.
- ❖ He has also been made related to Indra Jatra, a popular carnival of Kathmandu.
- ❖ Likewise, the head of 'Akash Bhairab', which is shown at Indra Chowk, is also worshipped as the idol of Yalambar.
- ❖ Some of the sources of Nepal stated Yalamber as a Kirati King having some essence of lord Mahadeva.

2. Humati

Humati was the sixth King of Kirat dynasty. He has been mentioned as 'Hunti' in Gopal genealogy. Humati is regarded as the Kirati King contemporary to the period of war of Mahabharat. Legends are found that during his regime a war was fought between Kirat-faced Mahadeva and Arjuna.



SOM DYNASTY:

- ❑ This dynasty had established a principality in the west.
- ❑ The attacks several times in valley. At last king of Kirati dynasty, Gasti was defeated by **Nimisha of Soma vansi**.
- ❑ They ruled from Godawari around 205 to 305 (5 Kings).
- ❑ **Bhasker verma was the last king.**
- ❑ Jaya Dev I defeated Vasker Verma of soma dynasty and established Lichchavis dynasty.



LICCHAVIS

- ❑ **Vaisalia was the homeland of lichhavis.** After it was destroyed by Ajatsatru, they flew away to Nepal. They overthrew kiratis and began to rule nepal.
- ❑ **Supuspa was the first Lichhchhavis to enter Nepal** and Jaydev I established Lichchavi rule in Nepal in around 300 A.D.
- ❑ **Jaya Dev I was the first king** of this line.
- ❑ **Amsuvarma came to power in 602, succeeding his Licchavi father-in-law.** He consolidated his power to the north and south by marrying his sister to an Indian prince and his daughter Bhrikuti to the great Tibetan king Songsten Gompo.
- ❑ **King Gunakamadeva is credited with founding Kantipur,** today's Kathmandu, around the 10th century. During the 9th century a new lunar calendar was introduced, one that is still used by Newars to this day.



LICHHAVIS

- ❑ Between the 4th and 8th centuries, the **Licchavis ushered in a golden age of cultural brilliance.**
- ❑ The *chaityas* (stupas) and monuments of this era can still be seen at the Changu Narayan Temple, north of Bhaktapur, and in the backstreets of Kathmandu's old town.
- ❑ Their strategic position allowed them to **prosper from trade between India and China.**
- ❑ It's believed that the original stupas at Chabahil, Boudhnath and Swayambhunath date from the Licchavi era.
- ❑ The **documented history of Nepal begins with the Changu Narayan temple inscription of King Manadeva I (C 464-505 A.D.) of the Lichavi dynasty.**



FAMOUS KINGS :

- ## MANDEV
- ❑ The first historical king of Nepal. His Changu Narayan inscription dated 464 A.D. gives valuable information about Lichchhavis rule.
 - ❑ He minted **Mananka coin** that was the first coin in Nepal and **constructed Managriha** the new palace for him.
 - ❑ He ascended the throne after his father Dharmdev's death. He was very young when he became king. His mother Rajyawati helped him much in the administration.
 - ❑ Mandev was a **very powerful, brave and good administrator**. He extended his territory up to the Himalayas in the north, across the Kaligandaki in the west and the Koshi in the east.
 - ❑ He was a devotee of Vishnu but he respected Buddhism also.
 - ❑ He made several temples, viharas and chaityas. He **built the temple of Changu Narayan in Bhaktapur**.
 - ❑ Performed a yajna and gave gifts to the Brahmins. He **established the idols** of Trivikram, Vaman and Vishnu. Besides, he built taps, patis and pauwas.
 - ❑ **He was a learned man**. Art and literature developed during his rule. He loved his subjects and respected his mother.



ANSUVERM

Anshuverma was the *Licchhavi King of Thakuri dynasty* who ruled Nepal during the sixth century AD.

He doesn't not belonged to Lichhivi dynasty, After Mandev his son Shivdev I sat on the throne. He was a religious minded, learned and patient king. He entrusted the task of administration with Anshuverma.

- This **learned, bold and far-sighted king** was a lover of art, architecture and literature. He was a brave king .
- Anshuverma was a high official in the court of Shivdev I. The king was very pleased with him and made him Mahasamant. At last he was made king by Shivdev I.
- Anshuverma was an able famous King. He was very clever. **He always thought about the good of his people.**
- He brought reforms in weight and measurement. He made arrangements for irrigation. So agriculture and animal husbandry developed. The economic condition of the Subject improved.**
- To protect the country he made forts.**
- This just, impartial and an able administrator was blessed with all qualities and virtues required to be a king. He had no political biasness and was a true leader who believed in serving the people. He was regarded by King *Shiva Deva* as the man of universal frame who always destroyed his enemies by his heroic nature
- He always put forward the rights and the interest of his people than his own.
- to Ansu Varma was also a **great diplomat.**



ANSUVERM

A

- He built temples and vihars. He was a learned man and respected the learned. He made a seven-storeyed grand palace called Kailashkut Bhawan. He conducted administration from there.
- He loved the freedom of his country. King Srong Tsang Gampo of China and King Harshavardhan of India were very powerful. They wished to extend their territories. Anshuverma gave his daughter Bhrikuti to Srong Tsang Gampo in marriage. So king Harshavardhan could not dare attack Nepal.
- There was peace in the country. **Nepal progressed during his rule.**
- Anshuverma has been referred to as a **man of many talents.**
- A grand palace built by him, the *KailashkutBhawan* is a great achievement in the field of **architecture and engineering.**
- His rule became a blessing to the *Licchavi* period which also made it the golden age in the history of Nepal.
- His Sanskrit grammar called '**Shabda Vidya**' made him popular even outside the country. During his rule Nepali art, architecture and Buddhism spread over Tibet, China and Japan.



KING ANSHUVERMA, INITIATOR OF TRADE AND INDUSTRY IN NEPAL

- ❑ It was during his period **that Nepal and Tibet developed close relationship** and he is the one who established the trade routes between these two nations.
- ❑ He also married one of his daughters *Bhrikuti* to the Tibetan king *Tsrong-tsong Gompo* which further strengthened the relations between these two nations.
- ❑ Moreover, he married his sister *Bhoga Devi* to an Indian king *Sur Sen* which also helped him strengthen the ties with India.
- ❑ *Amshuverma* was an advocator of caste system which is proved by the inscription dated back to 607.
- ❑ His foreign policy was successful to maintain the **independence and sovereignty of the country**.
- ❑ *Amshuverma* is highly regarded by many great scholars and learned men. He gave **equal importance to industrial as well as agricultural advancement**. He provided irrigation canals, levied water tax, land tax, defense tax and a luxury tax using the income from these sources for the development works of the country.
- ❑ King *Amshuverma* is a national hero who developed Nepal in many ways and has great contribution in the field of trade and economy of Nepal. Because of his works and contributions, King *Amshuverma* is considered as a **great king and the Licchavi dynasty is known as 'the Golden Period'**.
- ❑ He encouraged foreign trade. Many things from Nepal were sent abroad.



JAYA DEV II

The last famous king of Lichhavi dynasty.

His Pashupati inscription gives the genealogy of the Lichchhavi dynasty.

He did very well reformation in the part of social and political, different types of taxes, art and architecture, trade and commerce.



NARENDRADEVA

- ❑ **Son of Udaydev or Grandson of Shivadev I**
- ❑ **Ascended to the throne in 699 BS**
- ❑ **Lichavi king, initiated friendly relations with China and his successors laid the foundations of friendship with India by entering into matrimonial alliances with the Indian royal families.**
- ❑ **The Lichchhavi rule spanned over a period of about 630 years, the last ruler being Jayakamadeva.**
- ❑ **'Lichchhavis' ruled the valley up to thirteenth century A.D.**



MAIN FEATURE:

- ❑ Religions toleration, effective administration, different types of taxes, art and architecture, trade and commerce.
- ❑ Mandev was known for the his **development work**.
- ❑ *Anshuverma* was another important Lichchhavi monarch who opened trade routes to Tibet.
- ❑ Bhrikuti sprayed Buddhism all over Tibet.
- ❑ His successors laid the foundations of friendship with India by entering into matrimonial alliances with the Indian royal families.
- ❑ About 630 years Lichchhivi ruled over in Nepal.
- ❑ On the whole these Lichchhavis kings seem to have been successful in maintaining a stable and prosperous state .
- ❑ This period also known as *golden period* of Nepalese art.
- ❑ The last ruler was ***Jayakamadeva***.



THAKURI

- The Thakuri Dynasty was a **Rajput Dynasty**.
- Many Thakuri kings ruled over parts of the country up to the middle of the 12th century CE.
- **Raghava Deva is said to have founded a ruling dynasty** in 879 CE, when the Lichhavi rule came to an end.
- To commemorate this important event, Raghu Deva started the 'Nepal Era' which began on 20 October, 879 CE.



GUNAKAMA DEVA

- ❑ After the death of King Raghava Dev, many Thakuri kings ruled Southern Nepal up to the middle of the 12th century CE.
- ❑ During that period, Gunakama Deva was one of the famous kings.
- ❑ He ruled from 949 to 994 CE.
- ❑ During his rule, a big wooden house was built out of one single tree which was called 'Kasthamandapa', from which the name of the capital, 'Kathmandu', is derived.
- ❑ Gunakama Deva founded a town called Kantipur, the modern Kathmandu.
- ❑ It was also Gunakama Deva who started the 'Indra Jatra' festival.
- ❑ He repaired the temple that lies to the northern part of the temple of Pashupatinath.
- ❑ He introduced Krishna Jatra and Lakhe Jatra as well.



SUCCESSORS OF GUNAKAMA DEV

- ❑ **Bhola Deva** succeeded Gunakama Deva.
- ❑ The next ruler was **Laxmikama Deva** who ruled from 1024 to 1040 CE.
- ❑ He built **Laksmi Vihara** and introduced the custom of worshipping a virgin girl as 'Kumari'.
- ❑ Then, **Vijayakama Deva**, the son of **Laksmikama**, became the Nepalese king.
- ❑ **Vijaykama Deva** was the last ruler of this dynasty. He introduced the worship of the "Naga" and "Vasuki".
- ❑ After his death, the Thakuri clan of Nuwakot occupied the throne of Nepal.



NUWAKOT THAKURI KINGS

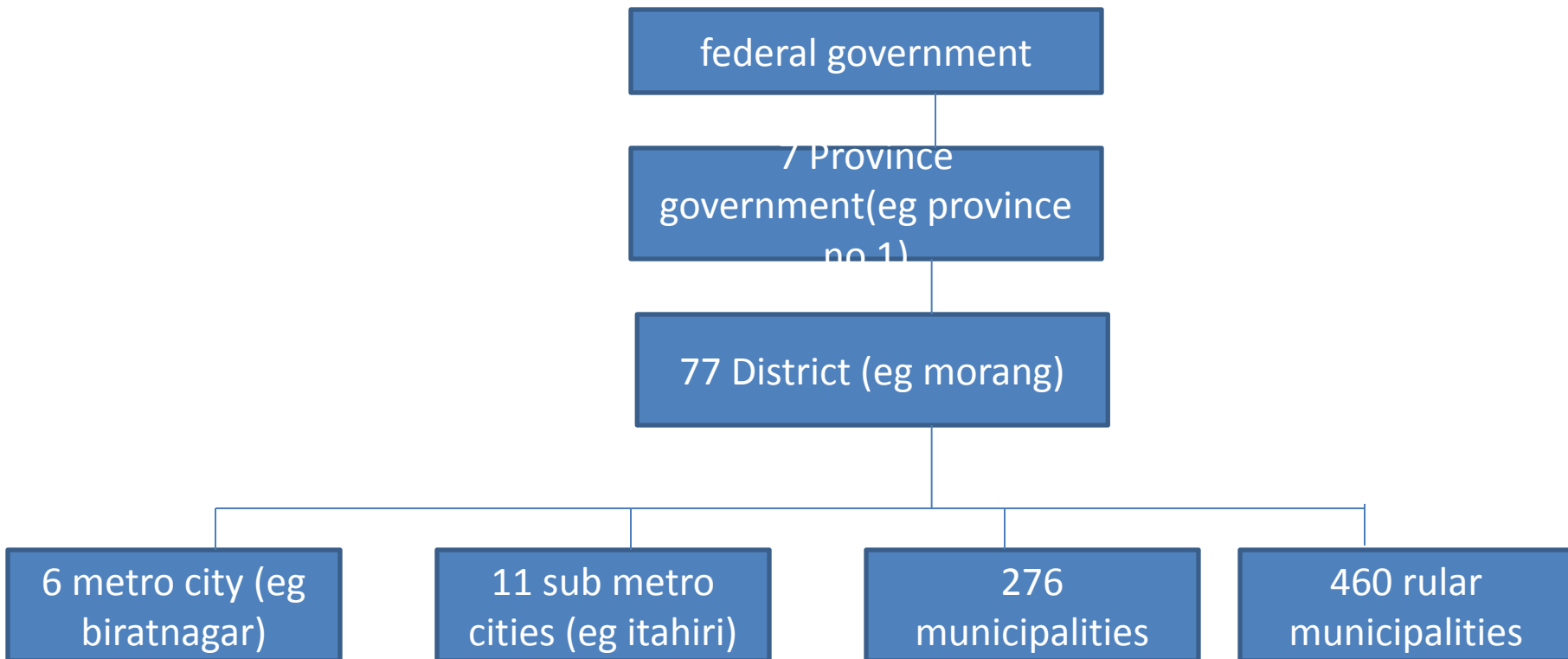
- ❑ **Bhaskara Deva**, a Thakuri from Nuwakot, succeeded Vijayakama Deva and established Nuwakot-Thakuri rule.
- ❑ He is said to have built **Navabahal and Hemavarna Vihara**. After Bhaskara Deva, four kings of this line ruled over the country. They were **Bala Deva, Padma Deva, Nagarjuna Deva and Shankara Deva**.
- ❑ **Shankara Deva (1067–1080 CE)** was the most illustrious ruler of this dynasty.
- ❑ He established the image of 'Shantesvara Mahadeva' and 'Manohara Bhagavati'.
- ❑ The custom of **pasting the pictures of Nagas and Vasuki on the doors of houses** on the day of Nagapanchami was introduced by him.



**THANK
YOU!!!**

Administrative division of nepal

- The **administrative divisions of Nepal** ([Nepali](#): नेपालको प्रशासनिक विभाजन, romanized: *Nēpālakō praśāsanik vibhājana*) are [subnational administrative units](#) of [Nepal](#). The first level of country subdivision of Nepal are the [provinces](#). Each province is further subdivided into [districts](#), each district into [municipalities](#) and [rural municipalities](#), and each of those municipalities into [wards](#). Before 2015, instead of provinces, Nepal was divided into [developmental regions](#) and [administrative zones](#).
- Fulfilling the requirement of the [new constitution](#) of Nepal in 2015, all old municipalities and [villages](#) (which were more than 3900 in number) were restructured into 753 new municipalities and rural municipalities.^{[1][2]} The former 75 [district development committees](#) (DDC) were also replaced by 77 new [district coordination committees](#) (DCC) which have much less power than the DDCs. At present there are 6 metropolitan cities, 11 sub-metropolitan cities, 276



- Nepal is composed of seven provinces.^[3] They are defined by schedule 4 of the new constitution, by grouping together the existing districts. Two districts however are split in two parts ending up in two different provinces.

	Provinces	Capital	Area (km ²)	Population (2011) ^[4]
1	<u>Province No. 1</u>	<u>Biratnagar</u>	25,905	4,534,943
2	<u>Province No. 2</u>	<u>Janakpur</u>	9,661	5,404,145
3	<u>Bagmati</u>	<u>Hetauda</u>	20,300	5,529,452
4	<u>Gandaki</u>	<u>Pokhara</u>	21,504	2,403,757
5	<u>Lumbini</u>	<u>Deukhuri</u>	22,288	4,741,716
6	<u>Karnali</u>	<u>Birendranagar</u>	27,984	1,327,957
7	<u>Sudurpashchim</u>	<u>Dhangadhi</u> ^[a]	19,539	2,552,517

- **Administrative Division of Nepal**
- At present, Nepal is divided into three layers administratively.
- Specially Administrative of Nepal is divided into Federal state Level (Central Level), Provincial and
- local level administration.
- The Administrative structure of Nepal is Federal, Provincial and local.

- **Central level Administrative**

- Central level administrative is also known as the federal government which conducted daily administration of the country.

- In a broad sense Central level administration includes executives, Legislature and Judicial administration but in a narrow sense it only includes executive body.

- **Federal Executives**

Council of minister is the executive body of Nepal and the responsibility of provide general directives, control and enforcement regarding the governance system of Nepal is the main duty of Council of ministers.

- Provision of about federal executives is made in the part 7 of the constitution of Nepal 2072 BS.

- **Formation of Council of ministers**

- The president appoints leader of parliamentary party with the majority as the prime minister and the council of ministers forms in his or her leadership.
- If there is not majority of single party in parliament the president appoints prime minister to the member of parliament who can have the majority with the support of other party.
- In this condition the prime ministers have to get vote of confidence within 30 days of appointment.
- If the government could not formed above condition, the president appoints prime Minister to the leader of largest party in the parliament and s/he also have to get vote of confidence within the 30 days of his her appointment.
- Council of Ministers shall form by the president on the recommendation of Prime Minister.

- **Conditions under which Prime Minister and Minister Ceases**

- **In case of Prime minister**

If prime minister tenders written resignation to the president

If failing to get vote of confidence in parliament

If s/he ceases to be member of parliament.

If s/he dies.

- **In case of Ministers**

If s/he tenders written resignation to the prime Minister

If the prime minister removes minister from the post.

If s/he dies

- **Functions of Executives**

- To conduct daily administrative activities
- To maintain peace and harmony in the country
- Conduct different developmental activities of the country
- Appointment of different officials and of the constituent organs etc.
- The function related to defense and army
- To protect the national unity and territorial integrity
- To maintain the interrelations etc.

- **Federal Legislature**

- According to constitution there is a legislature called federal parliament which is consisting of two houses house of representative(165 FPTP + PR 110 =275) and National Assembly (56 Electe+3 Nominated =59 Members).
- Generally the term of house of representative will be 5 years and National assembly is 6 years.

- **Qualification for Members**

- •The persons who meet the following qualifications will be eligible to be the member of Parliament Citizen of Nepal
- The Completion of age 25 for the member of house of representative and 35 to the members of National Assembly
- Should not be punished for the criminal offence involving moral turpitude (morally degraded)
- Should be eligible under any law
- Should not hold the post benefit

- **Vacation of seats**

Seat of parliament member will be vacant in the following circumstances

- If the members of parliament tenders written resignation to the speaker or chairperson.
- If the member of the parliament does not meet the above qualification
- If his/her term of office expires
- If he or she remains absent from ten consecutive meetings without notification to the house
- If he or she dies.

- **Functions of Parliament**

- Legislative function: which includes law making, amendment of the law etc.
- Control over executive
- Financial functions: To pass the fiscal bill
Constitution amending functions by two third majority
- Electoral functions
- Miscellaneous functions

- **Judiciary**

- Judicial administration is another administration in Nepal.
- According to the constitution all the judicial functions and power are exercised by the courts and other judicial institutions
- Judiciary in Nepal is divided into three layers: Supreme court, High court and District Court.
- **Supreme Court**
- According to the constitution there is a supreme court in Nepal. It is the court of record. It has final power and in accordance with constitution all other courts and judicial institutions shall remain under the supreme court.

- **Appointment and Qualification of chief Justices and Other justices in Supreme court**
- •In addition to Chief justice, supreme court shall be maximum of 20 justices. In case of inadequacy of justices, other temporary Judges may be appointed.
- President appoints the chief justice on the recommendation of the constitutional council and justices of supreme court on the recommendation of Judicial council.
- Any Judge who has the at least 3 years experience in supreme court is eligible to be a chief justice. But the he or she must be approved by the parliamentary hearing committee.
- Any Nepali citizen with bachelor degree in law and has worked as the chief Judge of high court or practiced advocacy for 15 years as law graduate senior advocate, or has worked as a gazetted first class officer for at least twelve years is eligible for the appointment in the judge of supreme court.
- The office term of chief justice is six years
- **Conditions Vacant of Justices and chief Justice**
- •If the chief justice renders his/her written resignation to the president and a judge submits his/her resignation to the chief justice.
 - If s/he attains the age of 65 years.
 - If an impeachment resolution is passed from the parliament
 - If s/he dies etc.

- **Jurisdiction of Supreme court**

Function related to petition: Supreme court protects the legal rights of people. Any Nepali citizen may file a petition in this court to have access on law and the law which is inconsistent with the constitution will be void by the court.

Enforcement of Fundamental rights: - The supreme court have extraordinary power to issue the necessary and appropriate orders to enforce the fundamental rights of people. Specially it has

- legal rights for the enforcement of fundamental rights provided by the constitution.
- **Jurisdictions to hearing original and appellate cases:** - The supreme court of Nepal have
- jurisdiction to hear original and appellate cases, to review its own judgments or interim order, to

examine decision referred for conformation and hear petition.

Jurisdiction of hearing appeal cases: - The supreme court of Nepal hears the appeal cases that have been initiated and executed by the high courts. Similarly it hears a subject of public interest litigation including a questions related to the interpretation of the constitution and law cases referred by high courts along with its opinion that it is appropriate for the supreme court to decide on it.

- **High Court**

There is a high courts in each province of Nepal.

- In addition to chief Judge, every high courts have judges in the number as provided in the federal law.

Appointment and Qualification of Chief and other Judges of High courts

- The chief Justice appoints Chief judge and Judges of High courts on the recommendation of the judicial council.

Any Nepali citizen who has a Bachelor Degree in Law and experience five years as a district Judge or has practiced law as senior advocate or advocate for at least ten years or at least ten years of teaching law or worked in any post gazetted first class officer of judicial service is eligible to be the chief and other Judges in the high courts.

Conditions of Vacant posts of Chief Judge and other Judges in High courts

- If s/he submits written resignation to the chief justice.
- If S/he is completed the age of sixty three.
- If S/he is removed by the judicial council for reason of incompetence, misbehaviour, ill-intended activities and serious violence of the code of conduct.
- If S/he is removed by the judicial council for being unable to perform the duties of her/his office due to the physical or mental illness.
- If s/he dies.

- **Jurisdiction of High Courts**

- The High courts have the right to order special issue and appropriate order in the name of
- government, institution or individuals within the its provincial jurisdiction for the enforcement of fundamental rights.
- The high court have jurisdiction to hear the original and appellate cases and to examine decisions referred for conformation.
- Other powers of the high courts are according to federal law.

District Court

There is a district courts in every district.

- Appointment: - The chief justice appoints the Judges of district court on the recommendation of judicial council.
- Out of total vacant position 20 % to be fulfilled through the appointment of the second class officers of the judicial services who have completed bachelor degree in law and completed at least three years of service based on seniority and work performance evaluation.
- Out of total vacant posts of Judges 40 % to be fulfilled thorough the appointment of the second class officers of the judicial services with bachelor degree in law and three years of experiencebased on the open competitions. Similarly 40 percent out of total vacant position to be fulfilled through the open competitions
- among Nepali citizen who have the bachelor degree in law and worked as advocate for eight years
- or teaching experience of law etc.
- **Jurisdiction of District court**
- It has jurisdiction to hear original cases and execute all decisions.
- It has jurisdiction to hear appeal over the decision taken by the quasi judicial body and local level

judicial institutions. Etc.

- Nepal is composed of seven provinces. They are defined by schedule 4 of the new constitution, by grouping together the existing [districts](#). Two districts however are split in two parts ending up in two different provinces.

Province no 1

#	Province	District	Headquarters	Area (km ²)	Population (2011) ^[4]
1	Province No. 1	Taplejung District	Taplejung	3,646	127,461
2	Province No. 1	Panchthar District	Phidim	1,241	191,817
3	Province No. 1	Ilam District	Ilam	1,703	290,254
4	Province No. 1	Jhapa District	Bhadrapur	1,606	812,650
5	Province No. 1	Morang District	Biratnagar	1,855	965,370
6	Province No. 1	Sunsari District	Inaruwa	1,257	763,487
7	Province No. 1	Dhankuta District	Dhankuta	891	163,412
8	Province No. 1	Terhathum District	Myanglung	679	101,577
9	Province No. 1	Sankhuwasabha District	Khandbari	3,480	158,742
10	Province No. 1	Bhojpur District	Bhojpur	1,507	182,459
11	Province No. 1	Solukhumbu District	Dudhkunda	3,312	105,886
12	Province No. 1	Okhaldhunga District	Siddhicharan	1,074	147,984
13	Province No. 1	Khotang District	Diktel	1,591	206,312
14	Province No. 1	Udayapur District	Triyuga	2,063	317,532

15	Province No. 2	Saptari District	Rajbiraj	1,363	639,284
16	Province No. 2	Siraha District	Siraha	1,188	637,328
17	Province No. 2	Dhanusa District	Janakpur	1,180	754,777
18	Province No. 2	Mahottari District	Jaleswar	1,002	627,580
19	Province No. 2	Sarlahi District	Malangwa	1,259	769,729
20	Province No. 2	Bara District	Kalaiya	1,190	687,708
21	Province No. 2	Parsa District	Birgani	1,353	601,017
22	Province No. 2	Rautahat District	Gaur	1,126	686,722

23	Bagmati	Sindhuli District	Kamalamai	2,491	296,192
24	Bagmati	Ramechhap District	Manthali	1,546	202,646
25	Bagmati	Dolakha District	Bhimeshwar	2,191	186,557
26	Bagmati	Sindhupalchok District	Chautara	2,542	287,798
27	Bagmati	Kavrepalanchok District	Dhulikhel	1,396	381,937
28	Bagmati	Lalitpur District	Lalitpur	385	468,132
29	Bagmati	Bhaktapur District	Bhaktapur	119	304,651
30	Bagmati	Kathmandu District	Kathmandu	395	1,744,240
31	Bagmati	Nuwakot District	Bidur	1,121	277,471
32	Bagmati	Rasuwa District	Dhunche	1,544	43,300
33	Bagmati	Dhading District	Nilkantha	1,926	336,067
34	Bagmati	Makwanpur District	Hetauda	2,426	420,477
35	Bagmati	Chitwan District	Bharatpur	2,218	579,984

36	Gandaki	Gorkha District	Gorkha	3,610	271,061
37	Gandaki	Lamjung District	Besisahar	1,692	167,724
38	Gandaki	Tanahun District	Byas	1,546	323,288
39	Gandaki	Syangja District	Putalibazar	1,164	289,148
40	Gandaki	Kaski District	Pokhara	2,017	492,098
41	Gandaki	Manang District	Chame	2,246	6,538
42	Gandaki	Mustang District	Jomsom	3,573	13,452
43	Gandaki	Myagdi District	Beni	2,297	113,641
44	Gandaki	Nawalpur District	Kawasoti	1,043.1	311,604
45	Gandaki	Parbat District	Kusma	494	146,590
46	Gandaki	Baglung District	Baglung	1,784	268,613

47	Lumbini	Gulmi District	Resunga	1,149	280,160
48	Lumbini	Palpa District	Tansen	1,373	261,180
49	Lumbini	Parasi District	Ramgram	634.88	331,904
50	Lumbini	Rupandehi District	Siddharthanagar	1,360	880,196
51	Lumbini	Kapilvastu District	Kapilvastu	1,738	571,936
52	Lumbini	Arghakhanchi District	Sandhikharka	1,193	197,632
53	Lumbini	Pyuthan District	Pyuthan	1,309	228,102
54	Lumbini	Rolpa District	Liwang	1,879	224,506
55	Lumbini	Eastern Rukum District	Rukumkot	1,161.13	53,184
56	Lumbini	Banke District	Nepalganj	2,337	491,313
57	Lumbini	Bardiya District	Gulariya	2,025	426,576
58	Lumbini	Dang District	Tribhuwannagar	2,955	552,583

59	Karnali	Western Rukum District	Musikot	1,213.49	155,384
60	Karnali	Salyan District	Salyan	1,462	242,444
61	Karnali	Surkhet District	Birendranagar	2,451	350,804
62	Karnali	Dailekh District	Narayan	1,502	261,770
63	Karnali	Jajarkot District	Khalanga	2,230	171,304
64	Karnali	Dolpa District	Dunai	7,889	36,700
65	Karnali	Jumla District	Chandannath	2,531	108,921
66	Karnali	Kalikot District	Manma	1,741	136,948
67	Karnali	Mugu District	Gamgadhi	3,535	55,286
68	Karnali	Humla District	Simikot	5,655	50,858

69	Sudurpashchim	Bajura District	Martadi	2,188	134,912
70	Sudurpashchim	Bajhang District	Jayaprithvi	3,422	195,159
71	Sudurpashchim	Achham District	Mangalsen	1,680	257,477
72	Sudurpashchim	Doti District	Dipayal Silgadhi	2,025	211,746
73	Sudurpashchim	Kailali District	Dhangadhi	3,235	775,709
74	Sudurpashchim	Kanchanpur District	Bhimdatta	1,610	451,248
75	Sudurpashchim	Dadeldhura District	Amargadhi	1,538	142,094
76	Sudurpashchim	Baitadi District	Dasharathchand	1,519	250,898
77	Sudurpashchim	Darchula District	Api	2,322	133,274

- **Provincial level Administration**

- Provincial level Administration is also called sub national administration.
- Basically it includes provincial executives and provincial legislature.
- Provincial Executives: - The executive functions of the province is exercised in the name of provincial government.
- The provincial head appoints to the leader of provincial parliament party with the majority as the

Chief minister and the provincial council of ministers forms in his or her leadership.

- If there is not majority of single party in parliament the Provincial head appoints Chief minister to the member of provincial parliament who can have the majority with the support of other parties.

In this condition the Chief ministers have to get vote of confidence within 30 days of his /her appointment. If the government could not formed above condition, the provincial head appoints Chief Minister to the leader of largest party in the Provincial parliament and s/he also have to get vote of confidence within the 30 days of his /her appointment.

- Provincial Council of Ministers shall form by the provincial head on the recommendation of Chief Minister.

- **Vacancy of office of chief-Ministers and other Ministers**

- In case of Chief Minister

- If the chief Minister submits his or her resignation to provincial head.
- If vote of confidence fails or no confidence motion against him / her is passed.
- If s/he ceases to be member of provincial lower house.
- If S/he dies.

In case of other Ministers

- If they submit their written resignation to the Chief minister.
- If the chief Minister remove them.
- If chief minister himself/herself ceased from the post.
- If S/he dies.
- If S/he is ceased from the member of provincial parliament.

- **Provincial Assembly**
- There the provision of unicameral legislature in a province which is called Provincial Assembly.
- Every provincial Assembly is consist of members equal to double the number of members to be elected thorough the First-Past-The- Post (FPTP) lection system to the house of representatives from the concerned province.
- The numbers of members to be elected through proportional representation system equal to the remaining forty percent when the number of members FPTP is regarded as Sixty percent.
- Term of provincial assembly will be of five years, if it dissolved earlier according to constitution
- **Qualifications to be member of Provincial parliament**
- S/he should be Nepali citizen.
- S/he must be the voter of the concerned province,
- S/he attained twenty-five years,
- S/he should not have punished for any criminal offences involving moral turpitude,
- S/he should not have ineligible by any Law,

- **Provincial Jurisdiction**

- •Provincial police administration as well as law and order, Banks and operation of financial institutions according to the policy of Nepal Rastra Bank,
- Radio television and FM operation, Land and house registration fee, Vehicle tax, Entertainment tax, advertisement tax, tax on tourism etc,
- Provincial civil service and other service,
- Provincial level electricity, irrigation project, drinking water, and transportation,
- Exploration and management of mine, Land management and record keeping of the land,
- Agriculture and livestock development, factories, industrialization, and business
- Provincial Highways etc.

Municipalities of Nepal

- **Urban Municipalities**
- Municipalities are places having at least some minimum criteria of population and infrastructure and declared as a municipality by the government. There are 293 municipalities in Nepal.
- Urban municipalities are categorized into 3 levels:
- Metropolitan city (*Mahanagarpalika*)
- Sub metropolitan city (*Upmahanagarpalika*)
- Municipality (*Nagarpalika*)
- There are six metropolitan cities; the capital city [Kathmandu](#), as well as [Bharatpur](#), [Biratnagar](#), [Pokhara](#), [Lalitpur](#) and [Birgunj](#). There are 11 sub-metropolitan cities and 276 municipalities.

Largest cities or towns in Nepal

Ministry of Federal Affairs and General Administration [\[1\]](#)

	Rank	Name	Province	Pop.	Rank	Name	Province	Pop.
 <p>Kathmandu</p> <p>Pokhara</p>	1	Kathmandu	Bagmati	975,453	11	Tulsipur	Lumbini	141,528
	2	Pokhara	Gandaki	414,141	12	Itahari	Province No. 1	140,517
	3	Lalitpur	Bagmati	284,922	13	Nepalgunj	Lumbini	138,951
		Bharatpur	Bagmati	280,502	14	Butwal	Lumbini	138,741
		Birgunj	Province No. 2	240,922	15	Dharan	Province No. 1	137,705
	6	Biratnagar	Province No. 1	214,662	16	Kalaiya	Province No. 2	123,659
	7	Janakpur	Province No. 2	159,468	17	Jitpursimara	Province No. 2	117,496
	8	Ghorahi	Lumbini	156,164	18	Mechinagar	Province No. 1	111,797
	9	Hetauda	Bagmati	152,875	19	Budhanilkantha	Bagmati	107,918
	10	Dhangadhi	Sudurpashchim	147,741	20	Gokarneshwar	Bagmati	107,351

- **Rural Municipalities**
- *Further information:* [Gaunpalika](#)
- Rural municipalities (*Gaunpalikas*) were established in 2017, replacing the [village development committees \(VDCs\)](#). The main purpose of a gaunpalika resembles that of a VDC, but it has more rights on collection of royalty and taxes and has a higher annual budget than the VDC. Several VDCs were usually combined into each new gaunpalika. There are 460 gaunpalikas in Nepal.
-

Concept of local government

- Local government is an ancient institution with modern concept. It embodies the individuality of a man's group activity reflecting the spirit of liberty. It is an integral part of politics of a country recognized or created under law for the management of local affairs of a human settlement with in the certain geographical boundaries.

- Local government comprise a set of institution, mechanism and process through which citizen and their groups can articulated their interest and needs, mediate their differences and exercise their right and obligation at the local level. The building block of good governance are many :citizen participation, partnership among the key actor at local level, capacity of local actor across all sector , multiple flows of information, institutions of accountability and proper orientation UNDP2004

- In politics the term local government is concerned with the governance of specific local areas, constituting a political sub division of a nation, state or major political unit.
- Local government promotes national integration , creates the sense of belongingness and help to solve verities of local issue such as poverty, underdevelopment , condition of exploitation. So local governance is....

- Local governance is the system of government.
- Door step government to the local people.
- Responsible towards the local people.
- Democratic and democratization.
- Multi dimensional phenomena.
- It is basically an organized as a social entity with a feeling of oneness.
- In political terms, it is concerned with the governance of a specific local area, constituting a political sub division of a nation, state or other major political unit.

- Local governance and decentralization are interrelated.
- The system of local governance indicates that system of government which promotes the people's participation in each and every activity of government.
- The aim of local governance is to empower local people and it ensure the citizen participation into the governing system of local government.
- It creates an environment for healthy growth of political parties and helps to produce the capable and experienced future leaders at local level
- Under democratic regime, people's participation is help to solve diverse types of local problems.

- Promotes the national integration, creates sense of belongingness and help to solve verities of local issues such as poverty, underdevelopment, condition of exploitation.
- Local self government denotes right and the ability of local authorities within the limits of law , to regulate and manage a substantial share of public affairs under their own responsibilities and the interest of local population.
- Local self government offers the best opportunity to the people to bring knowledge, interest and enthusiasm to bear on the solution of their own local problem.

- Local government is ancient institution with modern concept.
- Traditionally, the local government institutions have been appointed by the central government, enhanced administrative task only.
- In modern local government institutions has performed multi faceted functions. They performed political, economic, social- cultural and administrative functions.
- They are directly responsible towards the local people as well as central government.
- They are recognized as the autonomous body. The local government's capacity level is determined by the context where and when it operates and the content what is has to do to accomplish the desire goals.

- Local government around world has been undergoing a process of change over the last ten or twenty years.
- This process is the result of external changes over which individual local government have had little influence: increasing economic interdependence; the process of globalization; changing technologies or the fall of communism.
- Privatization, restructuring of the local government system, changing inter governmental relations are the other causes.

According to the service delivery approach, the local government:

1. Provides an opportunity for political participation.
2. Helps to ensure efficient service delivery.
3. Expresses a tradition of opposition to an overly centralized government.

a local government is a relatively autonomous, multi-purpose institution providing a range of services, with a tax-raising capacity, and is controlled through the election of representatives to oversee the work of full-time officials.

According to the theory of welfare state, the local government:

- the efficiency value of local authorities as the strongest in favour of modern local government. Sharpe (1970) puts forward five roles a local government has to play, they include: coordinator, reconciler of community opinion, consumer pressure group, agent for responding to rising demand, and counterweight to incipient syndicalism.
- However, Hill (1974) warns that local government runs risk if it neglects the involvement of the public in a meaningful way: "To be the effective provider of services local authorities must be more than efficient. They must still be judged by that justice, fairness, equality and openness by which democratic society as a whole is judge."

According to the theory of power diffusion:

- Leading proponents of this theory include G. Jones and Stewart.
- They opined that the local government ensures that resources can be better matched to the diversity of needs. It is local and therefore closer to the citizen. This visibility makes it open to public pressure. However, they emphasize the argument that local government is an expression of the diffusion of
- power:

"Local government is no passing luxury. It should be a guardian of fundamental values. It presents, first and foremost, a spread of political power. Power is diffused among many different organizations.... Local authorities can represent the dispersion of legitimate political power in our society. concentration of power is a danger to a free

society. Local government is to be valued above all because it limits the concentration of power at the center"

- the modern local government should encompass the basic elements of all these theories.

- **Local governments and their functions and roles**
- • Village Executives:- According to constitution there is a village executives which acts as the local government in each Village councils.
- Composition of Village Executives: The elected head of village council becomes the chairperson of the village executives. The village executives forms under the his/her chairpersonship. Similarly Deputy head and other ward chairpersons elected from ward become the members of Village executive.
- Four women members that are elected by the village assembly members from among themselves and two persons elected from Dalit or Minority community will be members of the village executives.

- **Composition of Municipal Executive**

- The Municipal Executives:

- There is a Mayor in every Municipality and municipal executive is formed under the

- chairpersonship of Mayor.

- Similarly there will be a deputy mayor and Ward chair persons of each ward will be the members

- of Municipal executive. The Five women members that are elected by the municipal assembly members among themselves and

- Three persons elected from Dalit or minority community.

- **Qualifications of To be the head, deputy head and Member of Village and Municipal executive**

- Individual should be Nepali citizen.

- S/he should have attained the 21 years of age.

- The name should be included in voter lists of concerned Municipality or Village Council.

- S/he should not be ineligible by any law.

- **Conditions under which the post will be vacant**
- If the head submits his/her resignation before the deputy head and the deputy head before the head.
- If his her terms comes to end.
- If s/he dies.
- **In case the post of Head and Deputy head falls vacant with more than one years of the term left, the vacant post for the remaining period should be fulfilled thorough the election.**

- **Functions of Municipality and Village Council (Executive)**

- **•Municipal Police** : The composition, conduction, regulation, and management is the main function of Local level. Similarly Municipality and Village council can formulate the policy, Law, criteria and implementation is the main job of local level. The local executive can mobilize the municipal police to implement to policy and law, to protect the property, to protect the local tradition, festival and jatra, to manage the local market, etc.
- **Cooperatives:** The Municipality and village council can formulate the policy, law, criteria and can regulate the cooperatives. Similarly it can register, disorganize within its territory.
- **FM Radio:** The local level Can give the permission to conduct the FM radio of 100 watt. Similarly it can renew, Regulate, and discard the registration of FM radio.
- **Local Tax:** The local government can formulate the law, policy, relating to property tax, house rent tax, fee on the registration of house and land, vehicle tax, service fee, entertainment tax,

advertisement tax etc and can implement and regulate within the territory. But the local government should remain under the federal and provincial law.

- **Management of local services:** The local government can formulate an implement the policy, terms of service plan and criteria relating to the local service.

Local statistic and record keeping: The local government can formulate, regulate, and implement the policy, law, criteria, plan of local statistics. Similarly the registration and the record keeping relating to Birth, death, divorce, migration etc is the main function of the Local government.

- **Local Development:** it is another function of village and municipality. The local government can formulate and implement the policy, program and projects of local development. Similarly it can regulate, evaluate, control the socio-economic development of the local level. Similarly it can facilitate, coordinate, and manage the federal and provincial level development projects and plans. Etc.
- **Basic and secondary education :** The local government can formulates policy, criteria, regulate, law, implement the law and policy relating to the early child development and education, Basic education, secondary education, community learning, special education etc. formulation of village and municipal education committee, management of closed and merged schools, Naming of the school, conduction of extracurricular activities etc. are the major function relating to the basic and secondary education.

- **Basic health and sanitation:** formulation and implementation of policy and law relating to basic health and sanitation, operation of reproductive health and nutrition program, maintain the quality of drinking water, establishment of hospital, etc are the functions relating to the basic health and sanitation.
- Management of local markets, environment conservation and bio diversity.
- Construction local roads, agricultural roads, rural roads and irrigation.
- Distribution of land and building ownership certificate.
- Management of senior citizens, people with physical disability.
- Collection of statistics of unemployment people.
- Drinking water, small hydroelectricity projects and alternative energy.
- Disaster management,
- Reservation and development of local languages, culture and fine arts.
- Conservation of mine, watershed, wetland, wild life, minerals Etc.

- **District Assembly and District Coordination Committee**
- • There is a District Assembly in each district consisting of Mayor and deputy mayor of Municipality, and chair person and vice chairperson of rural municipality.
- There is a district coordination committee in each district. The district assembly elects Maximum none members including Head 1, Deputy Head 1, and
7 members including 3 women and 1 from Dalit or minority community.
- The members of Village Assembly and Municipality are eligible to be the members of district coordination committee.
- The term of office is 5 years.

- **Functions of DCC**

- To carry out monitoring to maintain balance in development and construction works.
- To coordinate among the Rural Municipalities and Municipalities and Province within the District.
- To maintain coordination among federal, and provincial government offices and rural and municipalities within the district.
- To coordinated the plan and task related to the natural calamity and disaster management within the district. Etc.

Introduction

- Democracy is not merely a form of government . It is also a form a state as a well society. It is closely associated with participation, competition and civil and political liberties. It is order of society.
- Democracy is defined as a form of government in which the supreme power is vested in the people and exercised by them directly or indirectly through a system of representation usually involving periodic free elections.

Meaning

- Democracy refers to a political system in which government is formed by the people, exercised either directly or through elected representatives.

Main Points:

- People Elected government.
- There is freedom of speech.
- There is no one party government in the country.
- Right to give vote to elect their representatives.
- The common people, considered as the primary source of political power.
- The principles of social equality and respect for the individual within a community.

- It defines as government by the people in which the supreme power is vested in the people and exercised directly by them or by their elected agents under a free electoral system.
- Abraham Lincoln:-Democracy is a government “of the people, by the people, and for the people.”
- There is no clear – cut, universal definition of democracy.
- Most definitions of democracy focus on qualities, procedures, and institutions

- The word ‘democracy’ itself means ‘rule by the people. ● A democracy is a system where people can change their rulers in a peaceful manner and the government is given the right to rule because the people say it may.
- Government by the people, *especially*- rule of the majority.
- A government in which the supreme power is vested in the people and exercised by them directly or indirectly through a system of representation usually involving periodically held free elections.
- A political unit that has a democratic government.
- The term ‘democracy’ comes from the Greek word *demokratia* which means “rule of the people”. It was coined from two words: *demos* that means “people” and *Kratos* which refers to “power”. That is, in a democracy the power rests with the people.

Definition

- **MacIver** : Democracy is a form of state is merely a mode of appointing, controlling and dismissing a government
- **Gettel**: Democracy is that form of government in which the masses of the population possesses the right to share in the exercise of sovereign power.
- **Bryce**:- Democracy really means nothing more or less than the rule of the whole people, expressing their Sovereign will by their votes.

Principals of democracy

- Constitution.
- Free elections .
- Government by consent of the people.
- Majority Rule.
- Rule of law.
- Guarantees rights and freedoms.
- Change the Government.
- Open Society.
- Political Equality. Freedom to live or travel anywhere in the country.
- Importance of Public Opinion.
- Participation of people in decision making process.
- Role of opposition party.

Why we prefer Democracy

- To lead the country to development.
- Element of decentralization.
- To rise of political institutions.
- Right to commerce.
- Spread of education.
- Free Media.
- Independent Judiciary.

Conditions necessary for successful working of democracy.

- A system can be termed as a genuine and comprehensive democracy only when it fulfills both political and socio-economic aspects of people's participation and satisfaction.
- There may be two major categories: (a) political conditions, and (b) social and economic conditions – the fulfillment of the first leads to political democracy and the second as social democracy .

- ***Political Condition:*** It is essential that for a system to be democratic, we must adopt a Constitution and laws that vest supreme power in the people. The human rights and fundamental rights, such as equality , liberty of thought and expression, belief, movement, communication and association must be protected by the Constitution. The democratic system has to have universal adult franchise as the basis of electing representatives at various levels of the government.

- There has to be a responsible government in which the executive is answerable to the legislature, the legislature to the people and the Judiciary to remain independent. Political institutions like political parties and interest and pressure groups (associations, various non-governmental organizations) must be functional for expressing popular needs, demands and grievances.
- A democratic system is strengthened if it maintains an enlightened public opinion in its various forms through free press and other communication processes.

- ***social and economic conditions:*** A democratic system has to ensure that the social development is in tune with democratic values and norms reflecting equality of social status and opportunities for development, social security and social welfare. Citizens must avail opportunities of universal and compulsory education. They must also be enabled to utilize means of economic development. The fruits of economic development must reach all and especially to the poor and the deprived sections of the society . Socio-economic development of the people strengthens social democracy .

- **Democracy in Nepal**

- • The country was for a long period, divided into many petty principalities in medieval period. In
- this period most of the principalities were economically and politically backward.
- • After the 1828 B.S. the country started its steps toward the unification of the land.
- In the history of Nepali politics, the democracy inaugurated in 2007 B.S. when it received freedom from the autocratic rule of Ranas.
- • The King had been the real ruler of Nepal since 1825 B.S., when the unified country was founded.
- • The Rana rule was dethroned by a popular revolution of 2007 B.S. Until then a hereditary prime minister was the real sovereign since all activities Nepali politics had to lead to Singh durbar, the then seat of prime minister.

- In 2007 BS, Nepali people threw the Ranas out of power and established democracy and restored the Shah Kings.
- The political system after 2007 BS was a liberal democracy under the leadership of Constitutional monarch. Political organization and forces of different ideological colour were developed. In this process the people of Nepal adopted a liberal democratic political system but their lack of democratic experience and political culture made it difficult to sustain for the long run. Nepali politics marched to the institutional road only after the first parliamentary election in the history of the Nation. In this election, Nine Political parties had contested the election in which the Nepali congress had got the two third majority. This was the first exercise of democracy in Nepal. The elected government was also formed providing better chance for Nepali politicians to consolidate a parliamentary form of government and exercise power in a democratic manner.
- Unfortunately, this chance never happened because the parliament was ended abruptly on 1 Poush 2017 BS when the king Mahendra exercised the emergency powers laid down in the Article 55 of the constitution of 2015.

- Autocratic Monarchy remained until 2047 BS. During this period the partyless panchyat system was practiced in Nepal.

King Birendra announced a referendum with a choice of reformed panchyat system of a multiparty system in 2036 BS. Reformed Panchsyat system had got 54.99% vote and multiparty system had got 45.1 % vote in that referendum.

- A joint front of Nepali congress and United Leftist front was formed and it conducted the movement with the motive of restoration of democracy. The primary task of this front was to accelerate the people movement for restoration of Multiparty democratic system and to uproot the 30 years old Panchayat system from the Nepal. Many urban based groups such as Journalists, teachers, professors, lawyers, doctors, nurses, engineers, poets, writers etc. joined the democratic movement to restore the democracy.

- The movement for the restoration of multiparty democracy was started on 7 Falgun 2046 BS and ended on 26 Chaitra 2046 BS which restored the multiparty democracy in the country.

The democratic constitution was promulgated on 23rd Kartik 2047 BS.

- After the restoration of multiparty democracy, first general election held on 29th Baishakh 2048 and Nepali Congress got the simple majority and the government was form under the leadership of Girija Prasad Koirala. But this government disorganized untimely in 2051 due to the internal conflict of Nepali congress.

- Similarly mid term election held in 2051 BS and in this election any party of Nepal did not get majority but Nepal Communist party (UML) stood as the largest party in Parliament and government of minority was formed under the leadership of Manamohan Adhikari but this government was also disorganized due to the failure to get the vote of confidence in Parliament. Similarly another general election in Nepal held in 2056 BS and in this election Nepali Congress got the majority and democratic government was formed under the prime minister ship of Krishna Prasad Bhattarai. But this government also became the victim of political instability faced by Nepal.
- In 2064 first election of Constitution assembly held but the constitution assembly failed to give the democratic constitution to the country.
- Second election of constitution assembly held in 2070 BS and this assembly gave the constitution to the country on 3rd Ashwin 2072. At present we are practicing federal democratic system which is of inclusive nature.

Constitution and its development in Nepal

1. Pre-constitutional period: - The written history of constitution in Nepal was started in 2004 BS. Before 2004 BS constitutional norms and laws were the main basis of state operation. The history of constitutional development goes back to 1825 BS when the country was formed. Royal Edicts and key Hindu scriptures formed the law of land.

- Civil Code (Muluki Ain) was promulgated by King Surendra Bir Bikram Shah in 1854 AD (1910 BS) and it was the first civil code in Nepal. The code was the main source to administer justice in Nepal for many years. Civil code was the codification of traditional approach of Hindu laws in common practice in Nepal.

Nepal's Government Legal Act-2004 : - This act was proclaimed by the then prime minister Padma Shamsheer. Three Indian constitutionalists Prakash Gupta, Dr. Ram Ugrasingh and Raghunath Singh were invited to draft the constitution of Nepal. The constitution was with 6 parts, 68 Articles and 1 Schedule.

- **Salient features** of Nepal's Government legal Act 2004 BS
- **Sovereignty**: - According to this constitution the sovereignty of country was vested with the then Prime minister.
First Written Constitution: - It was the first written constitution. It was divided into 6 parts, 68 Articles and 1 Schedule. Part 1 Article 1 to 3 Background, Part 2 Article 4 and 5 Fundamental rights and Duties of Citizen, Part 3 Article 6 to 15 Executive assembly, Part 4 Article 16 to 47 Panchayatee Shabha, Central assembly and Legislature, part 5 Article 48 to 59 Judiciary, and part 6 Article 60 to 68 Miscellaneous were the major contents of this constitution.

- **III.Provision of Fundamental rights and Duties: -**
The fundamental rights and duties were provisioned in
- Part 2 Article 4 and 5. Individual liberty, Right to speech, Right to publication, equal access in law, Compulsory free initial education, right to vote etc are major fundamental right. Similarly protection of the country according to physical, mentally and economically, labour according to physical and mental capacity etc. were the major duties of Citizen to the country.

- **IV. Provision of Bicameral parliament: -**

- Two houses lower house and upper house

- National Assembly as Lower house, total member 70, out of 70 42 were elected from the people and 28 nominated by the shree 3.

Bhardari Shabha, total members 30 and all would be nominated by the shree 3.

- **Provision of Public Service Commission (Darkhasta Parisad)**

In the Article 65 (a), all the members nominated by the shree 3

Main duty was recruit, Promotion and transformation of bureaucrats

Main motto able bureaucrats in administration in the country.

- **VI. Provision of Judiciary**

- In Article 52 (a)

- To conduct the judicial activities there was the provision of Judicial committee, One chief justice

and 12 other judges, all members nominated by Shree 3

- • Main job explanation of constitution, hearing of appeal, to make law regarding to judicial administration in the country.

- **VII. Provision of Auditor general**

- • There was the provision of Auditor-General (Pradhan Jachaki) to audit the governmental income and Expenditure.

- It was mentioned in Article 62 (a) and (b) about the Auditor – General.

- The Auditor-General must have to submit annual report of auditing to Shree 3 Every year.

- **VII. Provision of local self governance**
- The constitution had managed system of local governance in the name of Panchayat. Constitution had managed there kinds of Local government which are Village Panchayat, Nagar Panchayat and District Panchayat. The job of local development is assigned to Village and Nagar Panchayat and to give suggestion to the Bada Hakim was the main job of District Panchayat.

- **The Interim Government Act of Nepal- 2007**
- • It was the first implemented constitution in the constitutional history of Nepal. The interim
- constitution had Seven parts, Seventy Three Articles and Three Schedules. The interim constitution had amended in 6 times. The constitution had managed three organs of government,
- public service commission etc. The constitution had following salient features:

- **Salient features of the Constitution**

Directive principles of state

- The constitution had managed directive principles in part 2 Articles 3 to 20 of the constitution. It mentioned education, governmental aid, international relations, Social provision of citizen, Gram panchayat, Aged and sick citizen, Equal opportunities, rule of Law, etc were major directive principles of the state.

II. Unilateral Parliament

- This constitution had managed the unilateral parliament. According to Article 30 all the legislative power was vested with the King. There was the provision of Advisory Assembly and all the member would be nominated by the King. Completion 25 years, Nepali Citizen, etc. were the major qualification to be member of Advisory Assembly. It was the temporary parliament.

III. Provision of Executive

- There was the provision of executive to conduct the daily administrative work of state. The king himself was the head of Executives. It was managed in the Article 22 of the interim constitution of 2007 BS.

- **IV. Provision of Public Service commission**

The constitution had managed a public service commission in part five, Article 64 of the constitution. There was the provision of one chairperson and other member would be nominated by the King. Main function of this commission were mentioned in the article 67 of the interim constitution of 2007 Bs.

V. First monarchical constitution

In the constitution of 2004 shree III was mentioned instead of His majesty the King. But this constitution had mentioned about Shree 5 king. All the sovereign power was vested with the king rather than people. So it is the first monarchical constitution in constitutional history of Nepal.

VI. Head of the Executive was King:

The constitution of 2007 BS had managed the King as the head of the state as well as the head of Executive. He was the head of government also. It is manage in the Article 22 of the constitution of Nepal. There was the provision of appointment of prime minister from the King.

-

VII. Provision of Fundamental rights

There was the provision of fundamental rights of people in article 14 to 20 of the constitution of 2007. Right to equality, right to speech, right to Publication, Right to form organizations, right to individual liberty, Right to wealth, Right to employment, occupation, industry and business etc. are major fundamental rights provisioned in the constitution.

- **VIII. Provision of Election commission**

- The provision of election commission was mentioned in the article 68 and 69 of the constitution of 2007 BS. Main duty of commission was to conduct the periodic election of parliament in the country. Similarly election court was also managed to see the cases of election.

IX. Temporary constitution

The main feature of this constitution is that this constitution was not permanent. It would be implemented until the promulgation of constitution which was made by the constitutional assembly. So the constitutional objectives and target were limited due to its temporary nature.

-

- **X. Provision of Supreme court**
- Article 32 of the interim constitution had managed a supreme court. The function and Members of court would managed according to the separate law. Main function of this court was to explain the constitution.

Constitution of Kingdom of Nepal 2015

- A constitution drafting commission was formed through the royal proclamation by the King Mahendra on 19 Magh 2014. Chair person of the commission was Bhagawati Prasad Singh other members were Ramraj Panta, Surya prasad Upadhyaya, Rana Dheer Subba and member secretary was Hira prasad Joshi.
- • The new constitution was promulgated on 1st Falgun 2015 through the Royal proclamation. It was the King provided Constitution . It was mentioned in preamble that this constitution was provided by the King by using his sovereign power.

- **Salient features of the constitution**

- I. Sovereignty was vested with the King:**

- The constitution has managed that all the sovereign power would be vested with the King. Similarly, it was the king who provided the constitution in the country.

- II. Written constitution:**

- It was the constitution in the written form. The constitution was divided into 10 parts and 77 articles. So it is the written constitution in the country.

- **III. Constitution as the Fundamental Law**

- The constitution of 2015 BS. Was the fundamental law of Nepal. According to this constitution, all laws inconsistent with the constitution would, to the extent of such inconsistency, be void. It should be the duty of every citizen to uphold the constitution.

IV. Provision of fundamental rights

- provision of fundamental rights is another feature of the constitution of 2015. Fundamental rights were manage in part 3 of the constitution. Right to liberty, right to property, right to religion, right to form the political party, etc. were major fundamental right provided the constitution of 2015.

V. Provision of Bicameral Parliament

It was mentioned in part 5 articles 18 to 43 of the constitution. Lower house was known as House of Representatives and total members 109 elected from the people. Senate total members 36. out 36 members 18 would be electetion from the house of representative and 18 nominated.

- **VI. Provision of council of Ministers**

- Executive power was with King and Council of Ministers. Article 10 to 17 were concentrated in the formation of council of ministers, role and duties of ministers, no. of ministers, administrative work etc. there was the provision 14 members in council of Ministers.

VII. Responsible Government: the government would be responsible towards parliament which the representation of people. It means government was responsible toward people.

VIII. Independent Judiciary: - It was mentioned in article 57 and 58.

IX. Provision public service commission: - there was the provision of Public service commission in article 59 and 60.

Sovereign Hindu Kingdom: - The constitution of 2015 had accepted Nepal as the sovereign Hindu Kingdom.

Constitution of Nepal 2019

- As a fourth constitution of Nepal, the constitution of Nepal was promulgated on 1 paush 2019 BS.
- The constitution of Nepal 2019 gave Constitutional recognition to Panchayat system Proclaimed by King Mahendra.
- King Mahendra Formed a Drafting committee for the new constitution on 26 Baishakh 2019.
- The constitution drafting committed was formed under the leadership of Rishikesh Shah and other members of such commission were Prakash Bahadur Khatri, Shambhu Prasad Gyanwali, Angoor Baba Joshi, Dambar Narayan Yadav and Member secretary was Kul Shekhar sharma.
- The constitution drafted by this commission had been promulgated on 1st Paush 2019 by the King Mahendra.

- The constitution of 2019 BS was amended in 2023 BS, 2032 BS and 2037 and finally abandoned by the people movement of 2046.
- The constitution provided people's fundamental rights, adult franchise, the council of ministers, national panchayat, supreme court etc. The characteristics of this constitution were as follows:

Salient features of the constitution

I. Written Constitution : -

- This constitution was in the written form. It is prepared by the constitution drafting commission headed by the Rishikesh Shah and promulgated by the King Mahendra. It was divided into 20 parts, 97 articles.

II. Provided by King: -

- This constitution was provided by King Mahendra to the Nepali people. As the practitioner of sovereign power he provided this constitution of Nepal.

III. Provision of Fundamental rights: -

- Fundamental rights people were managed in part 3, article 10 to 16 in the constitution. Right to equality, Right to liberty, Right against exile, Right against exploitation, Right to religion, Right to property, and right to constitutional remedies are fundamental rights provided to people by the constitution.

IV. Unilateral Parliament: -

- Provision regarding to parliament was managed in article 34 of the constitution. According to constitution National panchayat would be the parliament or legislative body. The total members of national panchayat would be 140. Out of 140, 112 would be elected by people on the basis of adult franchise and 28 members would be nominated by the king.

V. King as the source of Power

- According to the constitution of 2019 King was the source of all power . It was managed in article 20 of the constitution of 2019 BS. He was the source of sovereign power.

VI. Adult Franchise

- The constitution provided the right of adult franchise. Individual of 21 years had the right to vote.

VI. Independent Sovereign and Monarchial Hindu State

- This constitution has declared Nepal as the sovereign, independent, and Hindu Monarchial state.
- According to the Part 1, Article 3 Nepal is an independent, sovereign, Indivisible, and Monarchial Hindu State Similarly in Article 2 Nepal would be the monarchial state

VII. Constitution as Fundamental Law

- The constitution of 2019 treated constitution as the fundamental law of the country. It was mentioned in Part 1 Article 1 that constitution would be the fundamental law of the state. All laws inconsistent with the constitution would, to the extent of such inconsistency, be void.

- **VIII. Provision of directive principle of the Panchayat system**
- Different directive principle of panchayat system were mentioned in part 4 of the constitution.
- The directive principles of the panchayat system should remain as guidelines for the governance of the
- state. Directive principle should be the political objectives.

IX. Provision of Public service commission

- The constitution of 2019 manage a public service commission in part 13 article 77. Function of public service commission were mentioned in the article 78 of the constitution.
- **X. Provision of Independent Judiciary.**
- **XI. Provision of Council of Ministers etc.**

Constitution of kingdom Nepal -2047

The constitution of Nepal- 2047 was the fifth constitution of Nepal and fourth implemented

- constitution in Nepal. A commission was formed to draft the constitution under the leadership of
- Bishwanath Upadhyaya. Other members were Pradhumnalal Bhandari, Ramananda Singh, Laxman Aryal, Mukunda Regmi, Daman Nath Dhungana, Nirmal Lama, Madhav kumar Nepal and Bharatmohan Adhikari.

Committee formed constitution on time and Promulgated by King Birendra on 23rd Kartik 2047.

- The constitution had following features:

I. Written Constitution: - As other constitutions, it was also written constitution. This constitution was prepared by commission formed by King Birendra with the consensus of political parties. It was divided into 23 parts, 133 articles, and 3 schedules.

II. Constitution as fundamental Law: - The constitution of 2047 treated constitution as the fundamental law of the country. It was mentioned in part 1 article 1 that constitution would be the fundamental law of the state. All laws inconsistent with the constitution would, to the extent of such inconsistency, be void.

III. Sovereignty was vested with people: - It was the first constitution which accepted people as the source of sovereign power. All the sovereign power was vested the people.

IV. Constitutional monarchy: - The constitution had managed the provision of constitutional monarchy. The king was the head of the state but he was ceremonial head of the state. Any executive rights were not provided to King by the constitution. He was the protector of the constitution. He had no right to intervene in the activities of the council of ministers. The King had to work under the constitution.

V. Fundamental rights: - Provision of fundamental rights is another salient feature of this constitution. Fundamental rights of people were managed in the part 3, article 11 to 23. Right to equality, Right to liberty, Right to publication and newspaper, Right related criminal justice, Right to information, Right related to culture and education, Right to religion, Right to privacy and right to constitutional remedies were major fundamental rights provided by the constitution.

VI. Parliamentary ruling system: - the constitution of 2047 had provisioned parliamentary ruling system. In this system parliament become the supreme body in the country. According to this constitution the government should be responsible towards the parliament. Thus this constitution had provided the parliamentary supremacy.

- **VII. Bicameral legislature:** - Provision of bicameral parliament was another feature of this constitution.
- According to the constitutional provision there would be two house named house of representative and National Assembly. The house of representative as lower house should have 205 member elected on the basis of adult franchise. Similarly national assembly was upper house and total member 60, out of it 50 were elected indirectly and 10 would be nominated.
- **VIII. Executives Right:** - According to this constitution of 2047, the executive rights would be vested with king and council of minister both. Ruling system of Nepal would be controlled, managed, balance, directed by the council of minister. His majesty the king had to exercise his executive power in accordance with suggestion of council of ministers.

- **IX. Independent Judiciary:** - The constitution of Nepal 2047 proposed an independent judiciary. Similarly the court system was divided into three layers: Supreme court, Appellate court, and District court. The constitution guaranteed the supremacy and independency of judiciary.

X. Adult franchise: - The constitution of Nepal 2047 had provided the opportunity of adult franchise.

- According to this constitution the election of parliament would be on the basis of adult franchise. Individuals who were of 18 years were provided voting right.

Interim constitution of Nepal- 2063

- It was the sixth constitution in the constitutional history of Nepal. The interim constitution of
- Nepal was promulgated on 1 Magh 2063 BS in the name of people by the legislative parliament. Salient
- features of this constitution were as follows:

I. **Written constitution:** - Interim constitution of Nepal 2063 was also written constitution. It was divided into 25 parts, 167 articles and 4 Schedules.

II. **Constitution as Fundamental Law:** - The Interim constitution of 2063 treated constitution as the fundamental law of the country. It was mentioned that constitution would be the fundamental law of the state. All laws inconsistent with the constitution would, to the extent of such inconsistency, be void.

III. **Sovereignty was vested with people:** - This constitution had managed that supreme power of the state would be vested with the people and people are the source of all political power. Article 2 of interim constitution was dedicated to this provision.

- **IV. Republican constitution:** - In the constitutional history of Nepal, it was the first republican constitution.
- According to article 4 of interim constitution, Nepal would be an independent, indivisible, sovereign, secular, inclusive democratic federal republican state.
- **V. Provision of fundamental rights:** - Various fundamental right were provided by the interim constitution in article 12 to 32. Right to equality, right to liberty, Right against untouchability, right to environment and health, right to culture and education, right of children, right to religion, right to justice, Right against exile, Right to constitutional remedies etc. are the major fundamental rights provided by the constitution.

- **VI. Rule of Law:-** the interim constitution of 2063 guaranteed the rule of law. According to this constitution no one was above the law of state. All are equal in law.

VII. Secularism: - Secularism was another salient feature of this constitution. It was the first constitution which advocated secular state. Provision about the secular state was mentioned in the preamble of interim constitution 2063.

- **IX. Constituent Assembly:** - The interim constitution has proposed the constituent assembly to form the new constitution. It was the temporary constitution and would be implemented till the promulgation of new constitution made by the constituent assembly. It was mentioned in article 82 of the interim constitution.

- **X. Parliamentary Hearing:** - It was the new feature of the interim constitution of 2063 BS. According to article 155, the appointment of constitutional posts, Chief judge, judges, Ambassadors would be after the parliamentary hearing.

Xi. Unicameral parliament

XII. Provision of public service commission

XIV. Provision of human right commission

XV. Provision of women commission

XVI. Independent judiciary etc were major features of this constitution.

Constitution of Nepal 2072

- Constitution of Nepal 2072 is the first constitution enforced by the constituent Assembly. This constitution was promulgated by the then president Dr. Rambaran Yadav unveiled on the behalf of speaker Subashchandra Nembang on 3rd Aswin 2072. A constitution Draftin committee was formed under the leadership of Dr. Babu Ram Bhattarai prepared a draft of constitution and all the articles were discussed and approved by the two third majority of constituent assembly.

- **Salient Features**

Written constitution: - The constitution of Nepal- 2072 is in the written form as other constitutions. It is divided into 35 parts, 308 articles and 9 schedules.

Federal Model with Seven provinces: - The constitution of Nepal has mention about the federal model of ruling system and it has proposed seven provinces. According to this constitution the state power of shall be used by the federal, provincial, and local level government.

Democratic republican state: - According to constitution of 2072 Nepal is an independent, indivisible, Sovereign, inclusive democratic and democratic republican state.

•**Secularism:** - Secularism is another feature of this constitution. According to this constitution Nepal is a secular country, It provided the opportunity of protecting all religion and cultures being practiced since ancient time.

• **Constitution as fundamental Law:** - The constitution of Nepal 2072 has taken constitution as the fundamental law of the state. According to the article 1 (a) all the laws inconsistent to this constitution, to the extent of inconsistency, be void. So this constitution is the fundamental law as other constitutions of Nepali constitutional history.

- **Provision of Judiciary:** - Provision about judiciary is mentioned in part 11 of the constitution.
- According to the constitution all power relating to the justice shall be exercised by the courts and other judicial institutions accordance with the constitutional provision. All must adhere to the order or verdict given by the court in relation to the court cases. According to the article 127 there are three types of courts: Supreme court, High court and District court.

- **Executive power:** - According to the constitution of Nepal 2072 executive of power of Nepal shall rest with the council of Ministers in accordance with the constitution of Nepal. The responsibility of providing general directives, control, and enforcement regarding the governance system of Nepal will rest with the council of ministers.

Provision of President: - Provision of president is mentioned in part 6 of the constitution. According to Article 61(b) the president will be the head of the state. S/he shall perform his/her duties according to the constitution and federal law. Provisions regarding to the election of the president is given in article 62 of the constitution of Nepal 2072.

Bicameral Federal Parliament: - The constitution has mentioned that there shall be a federal parliament consisting of two houses named house of representatives and National Assembly. House of Representative has 275 members. Out of 275 165 elected through the First-Past-the post electoral system and 110 members elected from proportional representation electoral system.

Corporate Governance

Corporate governance in the business context refers to the systems of rules, practices, and processes by which companies are governed. In this way, the corporate governance model followed by a specific company is the distribution of rights and responsibilities by all participants in the organization.

Governance ensures everyone in an organization follows appropriate and transparent decision-making processes and that the interests of all stakeholders (shareholders, managers, employees, suppliers, customers, among others) are protected.

Corporate governance is the mechanism of promoting corporate accountability, fairness and transparency.

Meaning And Definition

Corporate governance is the set of processes, customs, policies, laws, and institutions affecting the way a corporation (or company) is directed, administered or controlled. Corporate governance also includes the relationships among the many stakeholders involved and the goals for which the corporation is governed.

Definition: According to Cadbury Committee

“Corporate governance is defined as the system by which companies are directed and controlled” .

Governance

Sir Adrian Cadbury ; “Corporate Governance is concerned with holding the balance between economic & social goals and between individual and communal goals. The CG framework is there to encourage the efficient use of resources and equally to require stewardship of those resources. The aim is to align as nearly as possible the interest of individuals, corporations and society.”

Gabriele O'Donovan; CG is an internal system encompassing policies ,processes & people which serves the needs of shareholders & management activities, by directing & controlling manaaement

There are three generally accepted fundamental values of good governance:

a. Accountability

b. Openness

c. Probity (honesty)

In the context of corporate governance, these values call for accountability to shareholders, honest dealing within and outside the board, and transparency of risk-assessment and decision making process to the shareholders.

The BOD is elected by shareholders and thus is responsible to serve the shareholders' interest. The directors have to frame appropriate policies and monitor the performance of management in implementing the policies and are accountable to shareholders.

Corporate Governance

Accountability

Transparency

Responsibility

Fairness

***Fundamental Pillars of Corporate
Governance***



**Importance
or need of
corporate
Governance**

1. Importance of Social Responsibility
2. Changing Ownership Structure
3. Growing Number of Scams
4. Indifference of the Part of Shareholders
5. Globalisation
6. Takeovers and Mergers