

## The Status, Powers and Functions of Rajas and Rajautas During the Nineteenth Century Nepal in the Light of Contemporary Documents

### Introduction

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Before the Gorkhali conquest of Western Nepal between the years 1769 and 1806, there existed some forty-six separate principalities in the Gandaki and Karnali regions. These two regions occupied twenty-four and twenty-two principalities, respectively. These principalities were collectively known as Chaubisi and Baisi Rajyas. In the course of territorial conquest by Prithvi Narayan Shah and his successors, most of these principalities were wiped out. A few of them, which accepted the suzerainty of the Gorkhali rule, were allowed to retain their separate entity, subject to the payment of some kind of tribute and the offer of military services to the Gorkhali rulers in the times of emergency. Important principalities which accepted the overlordship of Gorkhali rule in the process of territorial expansion were: Salyan, Jajarkot, Mustang, Bajhang, Dullu, and Bhirkot.<sup>1</sup> The principalities were not annexed to the new Kingdom of Nepal, primarily because they had actively helped the Gorkhalis against the subjugation of others. It may, however, be noted that Salyan and Jajarkot had accepted the status of vassal states in the life-time of Prithvi Narayan Shah, who, in fact, did not measure sword with these principalities. It is, therefore, to the chieftains of such vassal states that the Gorkhali rulers called Rajas and Rajautas.

The actual number of the Rajas and Rajautas that existed in the period under consideration cannot be ascertained as their number fluctuated from time owing to the creation of new Rajyas and the abolition of the existing ones. Here are a few examples: (1) The principality of Doti, which accepted the overlordship of the Gorkhalis for a brief spell of time sometime in 1789, was afterward annexed to the new kingdom: in 1859 V.S. (Vikram Sambat), i.e. 1802 A.D., it was again created as a vassal state.<sup>2</sup> (2) Likewise, the principality of Achham, which was once annexed to Nepal, was made a vassal state. (3) The principality of Gulmi, which was given to the Raja of Palpa as a reward for his help to the Gorkhalis during the latter's subjugation of other neighbouring principalities, was allowed to remain as a vassal state after the fall of Regent Bahadur Shah.<sup>3</sup> The reason behind the creation of Gulmi as a vassal state was that King Rana Bahadur Shah had married the daughter of the Raja of Gulmi. Sati Prachanda Shah, the Raja of Gulmi, also got some parts of the Tarai which formerly belonged to his domain.<sup>4</sup> (4) The vassal state of Phalabang seems to have been created only

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in 1894 V.S. (1837), and its ruler was Tej Bahadur Shah.<sup>5</sup> This was again confirmed in 1904 V.S. (1848) by King Surendra on the succession of a new chief, Narendra Bahadur Shah.<sup>6</sup> (5) Salyan, which was one of the first principalities to accept Gorkhali suzerainty and belonged to Bilaskumari, daughter of Prithvi Narayan Shah, is stated to have been seized by Prime Minister Bhim Sen Thapa after King Rana Bahadur's assassination.<sup>7</sup> Afterward it was allowed to retain its former feudatory status; as it figures as an important Rajya in the list of vassal states. In the presence of these documentary evidences concerning the fluctuation of the number of the vassal states, I could gather the names of only eleven Rajyas. One document, prepared in the beginning of Nepal-Tibet War (1854-56), put the number of the vassal states at eight. These are Mustang, Jajarkot, Salyan, Bajhang, Dullu, Achham, Thalahara and Bajura.<sup>8</sup> In this list, the vassal states of Bhirkot and Doti are not included. A document belonging to the last decade of the 19th century mentions the name of Jageswar Upadhyaya Karki as the Raja of the vassal state of Udayapur, Pyuthan.<sup>9</sup> Later on, this number seems to have gone up due to creation of more Rajyas. The Rajya Rajauta Ain (Rajya System Abolition Act) of 2019 V.S. (1961) records the Rajas of the following seventeen vassal states: Salyan, Jajarkot, Mustang, Bajhang, Bhirkot, Darna, Bajura, Thalahara, Galkot, Gulmi, Garaukot, Male-neta, Dullu, Parbat, Nuwakot, Khumrikot (Pyuthan), and Udayapur (Pyuthan). Regmi (1963) mentions only fifteen Rajyas.<sup>10</sup> The vassal states of Nuwakot and Udayapur (Pyuthan) do not figure in his list.

### Status

From the study of the available contemporary documents, one can discern three categories of Rajyas or vassal states in the 19th century Nepal which continued to exist as late as 1961. These were: (1) Thekka Rajyas, (2) Sirto Rajyas, (3) and, Sarbangamaphi Rajyas. The vassal states of the first type were called Thekka Rajyas because they farmed land revenues on contract (Thekka) basis, and paid the stipulated amount to the central government in installments after meeting all necessary expenses incurred while collecting revenues. Such Thekka or contract was liable to be terminated if the fixed amount was not paid to the government within a time-limit mentioned in the final contract. Achham and Dullu are the examples of Thekka Rajyas.<sup>11</sup> The second type of Rajyas, that is Sirto Rajyas, paid an annual tribute called Sirto to the central government and in return enjoyed the land revenues for themselves. The tribute thus paid varied from time to time. For instance, the chief of the vassal state of Mustang paid an annual tribute amounting Rs. 929.00 in 1790 (1847 V.S.);<sup>12</sup> he also presented five horses. But in 1852, he was given an option to pay either Rs. 500.00 or to present two horses.<sup>13</sup> Besides Mustang, the vassal state of Jajarkot had ac-

cepted the Gorkhali overlordship on payment of annual tribute amounting Rs. 701.00.<sup>14</sup> The Sirto Rajyas "differed from Thekka Rajyas in as much as the government assigned a fixed income to them in addition to make provision for the expences of collection" (Regmi 1963:150).<sup>15</sup> The Sarbangamaphi Rajyas were the most privileged as compared to the Thekka and Sirto Rajyas. As the meaning of the term 'Sarbangamaphi' implies, the chiefs of such type of vassal states enjoyed all kinds of land revenues and other tax-exempt incomes. They could also allocate lands to the tillers for cultivation within the jurisdiction of their Rajyas. But they were not allowed to encroach upon Raikar lands, that is, land owned by the State. They could, however, cultivate barren or waste lands under certain conditions.<sup>16</sup> Salyan and Bajhang are examples of Sarbangamaphi Rajyas.<sup>17</sup> The position of some of the chiefs of this category of vassal states, like the ones mentioned in the preceding sentence, was further enhanced due to matrimonial alliances with the Shah and Rana rulers. When they married the daughters of the Shah and Rana rulers, the chiefs got not only cash dowry but also received extra incomes from tax-exempt lands, such as Kush Birta.<sup>18</sup> (For further detail regarding the number of the vassal states of each category (see Regmi 1963).

### Powers and Functions

The principal traditional powers and functions of the vassal chiefs included administration of justice and the collection of revenues. The central government also granted them autonomy in matters like running day-to-day administration within the jurisdiction of their Rajyas. Since the available contemporary documents do not throw much light on this last point, the judicial and revenue collection functions of the vassal chiefs demand special treatment.

### Judicial

1. The vassal chiefs possessed powers to hear and decide original cases that came from the people living inside their Rajyas. While deciding cases they had to follow the provisions of the Ain (Legal Code)<sup>19</sup> enforced by the central government. But their power to decide major cases was severely limited. Thus they were not allowed to decide penal cases that fell within the ambit of Pancha Khat,<sup>20</sup> i.e., slaying a Brahmin, killing of cow, killing of a woman, killing of a child, and unlawful sexual intercourse, such as incest. In other words, the vassal chiefs could not decide cases of serious nature which carried capital punishment, branding, shaving, and the like.<sup>21</sup>

2. Appeals against the decisions of the chiefs lay either in the nearest district law court or in the district governor, known as Hakim. Likewise, complaints regarding the injustice

meted out by the chiefs to their subjects were heard by the district law court or the district governor. In an order issued in 1930 V.S. (1873) to the judicial functionaries of Doti Adalat (Court), the central government directed them to hand over cases to the chiefs, if the cases were received from the people living within the Sarbangamaphi Rajyas. The order further stated that complaints against the vassal chiefs or against their functionaries were to be heard by the district law court.<sup>22</sup> One more example will make this point clearer. In 1951 V.S. (1894), the central government directed the people of the vassal state of Salyan to appeal to the Salyan Adalat against the decision of the chief of that state. If dissatisfied even with the decision of Salyan Adalat, the people could appeal to Palpa Adalat. The final appeal against the decision of Palpa Adalat lay in Sadar Adalat, Kathmandu.<sup>23</sup> Ample references that throw light on the judicial functions of the vassal chiefs are available, though their nature does not differ very much from that of the documents cited above.

3. One major matter allied with the judicial powers and functions of the vassal chiefs was their incomes derived from judicial fines. In the initial stage of political unification of Nepal, the principalities, which were allowed to retain feudatory status pocketed all proceeds realised from different kinds of judicial fines. For instance, Prithvi Narayan Shah, who towards the end of his life is stated to have advised his successors not to use judicial fines for the purpose of the royal palace, gave exclusive right to appropriate the same to the Raja of Jajarkot.<sup>24</sup> The documents of the 19th century reveal that ten percent of the fines taken from the people were given to the central government and that the rest (ninety percent) were enjoyed by the vassal chiefs.<sup>25</sup>

From the nature of the judicial powers exercised by the vassal chiefs in the 19th century, it seems that their position in this regard was in no way superior to that of the village level courts. There are in fact two basic similarities in regard to the judicial powers of the vassal states and the village level courts--the lowest regular judicial unit outside the jurisdiction of the Rajyas. First, after the emergence of Rana rule, particularly after the introduction of the first Ain (Legal Code) in 1854, the village level courts were not allowed to try cases and award punishments that were usually punished by execution, branding, and degradation from caste. Secondly, as in the case of the vassal chiefs, appeals against the decision of the village level courts lay in the district courts.<sup>26</sup>

#### Revenue Collection

From the very beginning of their territorial expansion in the Gandaki and Karnali regions, the Gorkhali rulers had adopted the policy of upholding the traditional rights and privileges of the principalities which accepted their suzerainty. Besides other

things, the traditional rights and privileges of the vassal chiefs included revenue administration. More or less the same policy seems to have continued during the 19th century and after. Available evidences shed light on the following main points dealing with the revenue collection powers and functions of the vassal chiefs:

1. Royal charters given to the vassal states at the times of their acceptance of Gorkhali overlordship confirmed the rights and privileges of the chiefs to grant Birta lands to private individuals and to enjoy tax-exempt land revenues for themselves.<sup>27</sup> Their rights to grant lands to religious and philanthropic institutions were also confirmed.<sup>28</sup> Chiefs who farmed land revenues on Thekka or contract were, however, required to pay land-taxes like Serma and Pota, along with the stipulated amount mentioned in the contract.<sup>29</sup>
2. Chiefs of all categories could cultivate waste or barren lands and enjoy the revenues of such lands for themselves.<sup>30</sup>
3. The vassal chiefs held the lands of Jagirdars (civil and military personnels who received lands as Jagir, in lieu of cash payment) on Thekka or contract.<sup>31</sup> After paying the stipulated amount to the Jagirdars, the balance was appropriated by themselves. Revenues collected by the chiefs on the part of the central government were deposited in the district revenue office, called Mal.<sup>32</sup>
4. If the lands of the central government and its employees (Jagirdars) were farmed, probably you are using the term technically. Is so, explain the chiefs were held responsible for the maintenance of water-channels and the improvement of irrigational facilities.<sup>33</sup> They received complaints from the ryots (tenants) and recommended the government for remissions of land taxes, if the harvest was damaged following drought and other natural calamities.<sup>34</sup>
5. In addition to the collection of land revenues, the vassal chiefs collected and forwarded levies, fees, and taxes, like Chumawan, Gadimubarak, Godthuwa, Kascharai, etc., to the central government.

### Conclusion

Although the vassal chiefs enjoyed many kinds of privileges at the discretion of the central government, a close overview of the powers they exercised and the functions they performed reminds one of some of the characteristics of the medieval feudalism of Western Europe. The following points will illustrate this fact:

1. The central core of the feudal structure is land fief, and it was undoubtedly the major source of the chieftains' income. As stated above, some of the vassal chiefs in Nepal enjoyed not only different kinds of tax-free revenues, but did also allocate lands to the tillers for cultivation.
2. The chiefs held their own courts of justice (howsoever their jurisdiction would have been), imposed fines, taxes and fees, which provided them with substantial source of income.
3. The vassal chiefs were required to render military services to the central government in the event of wars with neighbouring countries (especially Tibet, as Nepal was not in a position to challenge either India or China). The vassal chiefs helped the central government in the third Nepal-Tibet War (1854-56) by supplying recruits and coolies for the transportation of weapons and rations upto the Tibetan border.<sup>36</sup> In 1986 V.S. (1929), the Raja of Dullu was ordered to supply recruits and coolies as a war with Tibet was in the offing.<sup>37</sup>
4. The chiefs, in order to show their fidelity to the Shah rulers, used to attend the central Durbar on such ceremonial occasions, like the coronation of a new ruler, and marriages and Bratabandhas in the royal family.<sup>38</sup> On such occasions, they were required to wear special uniforms, as prescribed by the central government.<sup>39</sup> They had also to mourn the death of the king or his spouse for full official period fixed for the purpose.<sup>40</sup>
5. Last but not the least, the vassal chiefs were empowered to maintain law and order within their territories. They recruited personnels to run the day-to-day administration, which was allowed to be run in accordance with the traditional customs of the respective states with minimum central control.

Since there was nominal central control over their administration, the chiefs ruled over subjects quite arbitrarily and the grievances of the people were not readily redressed unless brought to the notice of the central government. In 1906 V.S. (1849), the people of some vassal states complained that they had been maltreated by the chiefs in many ways, including physical tortures and imprisonment. The central government acted quickly as soon as the case was brought to its notice. The chiefs were compelled to sign a Muchulka or an agreement to the effect that from the date of their signing the said agreement, they would not maltreat their subjects by any means.<sup>41</sup> It may also be mentioned that in 1910 V.S. (1853) when the central government appointed Thanedars (military or police personnels) in Jajarkot, Bajhang and Thalahara with a view to putting check on the maladministration of the vassal chiefs, the latter vehemently opposed this move, but to no effect.<sup>42</sup>

The foregoing discussion reveals two significant facts relating to the lack of national integration. First, from the administrative point of view the consolidation of the whole of Nepal was incomplete. Secondly, there was the lack of social cohesion between people living within the territories of the vassal states and the rest of Nepal. In short, the existence of the vassal states as late as 1960, and the provisions made thereafter for the continued enjoyment of the title of Rajss by some former chiefs along with the allowances associated with it, lead one to conclude that the Nepalese society is yet to be free from the feudal chains of the medieval age.

Notes

1. Adapted from; Baburam Acharya, Nepal Ko Samkshipta Britanta, (Kathmandu: 2002 V.S.), pp. 92-118; D.R. Regmi, Modern Nepal, (Calcutta; 1975), Vol. 1, pp. 321-338.
2. Ministry of Foreign Affairs Archives, Nepal (MFAA), Bundle No. 70 (Letter from King Girvan to Pahadi Shahi, Raja of Doti 1859 V.S., Paush Badi 6, Roj 4).
3. D.R. Regmi, op. cit., p. 334.
4. MFAA, Bundle No. 70, 1860 V.S., Bhadra Sudi 8, Roj 5.
5. Yogi Narahari Nath (ed.), Itihas Prakash Ma Sandhipatra Sangraha, (Kathmandu: 2022 V.S.), p. 411.
6. Ibid., p. 419.
7. Francis B. Hamilton, An Account of the Kingdom of Nepal, (New Delhi: 1971), p. 277; Acharya, op. cit., p. 126.
8. Shahi Nepali Jangi Adda, Nepal, 'Bhot Tarfa Ko Rasad Bando-basta Ko', Serial No. 5, Book No. 6, 1911 V.S. (1854).
9. Narahari Nath, op. cit., p. 612.
10. Land Tenure and Taxation in Nepal, (Berkeley: 1963), Vol. I, pp. 150-51.
11. MFAA, Bundle No. 161 (Letter to Colonel Surath Jang Rana Bahadur, 1930 V.S., Falgun Sudi 9, Roj 4); ibid. (Letter to Bhakta Bahadur Shah, Raja of Dullu, 1930 V.S., Chaitra Badi 6, Roj 2); Narahari Nath, op. cit., pp. 562-63.
12. MFAA, Bundle No. 70 (Letter from King Rana Bahadur Shah to Wangyal Dorje, Raja of Mustang, 1847 V.S., Jestha Sudi 5, Roj 4). See also Narahari Nath, op. cit., p. 671 and D.R. Regmi, op. cit., p. 330.

13. MFAA, Bundle No. 22, (Letter from Prime Minister Jang Bahadur to the Raja of Mustang, 1909 V.S. A document of the same year, however, mentions that the central government received Rs. 996.00 and 3 horses as Sirto from the Raja of Mustang. See 'V.S. 1909 Salko Sawal Ko Nakkal', Kausi Tosa Khana, Kathmandu.
14. Acharya, op. cit., p. 93; Narahari Nath, op. cit., p. 4.
15. M.C. Regmi, op. cit., p. 150.
16. Narahari Nath, op. cit., p. 443.
17. Ibid., pp. 407 ff, and p. 582; MFAA, Bundle No. 70, 1858 V.S., Paush Sudi 9, Roj 4.
18. Ibid. (Narahari Nath).
19. Ibid., p. 425.
20. Ibid., p. 435 and p. 439. One document belonging to the period of Prime Minister Juddha Shamsher mentions the power of the chief of Salyan to hear and decide cases relating to Pancha-khat, Ibid., p. 446.
21. Ibid., p. 425.
22. MFAA, Bundle No. 161, (order to the Hakim, Dittha and Bichari of Doti Adalat, 1930, V.S., Falgun Sudi 9, Roj 4). See also a letter from the Commander-in-Chief to Dittha Shri Lal Bhatta, dated 1914 V.S., Jestha Sudi 13, Roj 6, Ibid., Bundle No. 23.
23. Narahari Nath, op. cit., p. 435.
24. Ibid., p. 4.
25. Ibid., p. 417; FMAA, Bundle No. 161, (Letter to Colonel Surath Jang, op. cit., 1930 V.S.).
26. Krishna Kant Adhikari, 'A Brief Survey of the Organization and Structure of Nepali Law Courts, During the Third Quarter of the Nineteenth Century', Contributions to Nepalese Studies, Vol. VI, No. 2, (June 1979), p. 17.
27. Narahari Nath, op. cit., p. 4 and pp. 407-9.
28. Ibid., pp. 395 ff; p. 417 and pp. 460 ff.
29. MFAA, Bundle No. 161, (Letter to the Raja of Dullu, op. cit., 1930 V.S.).



30. Ibid., Narahari Nath, op. cit., p. 443.
31. Narahari Nath; p. 438.
32. Ibid., pp. 413-14.
33. Ibid., p. 414.
34. Ibid., p. 437.
35. Ibid., p. 439 and p. 579.
36. Shahi Nepali Jangi Adda, op. cit., 1911 V.S.
37. Narahari Nath, op. cit., p. 395.
38. Ibid., p. 412, p. 578 and p. 612.
39. Ibid., p. 612.
40. Ibid., p. 420.
41. MFAA, Bundle No. 20, (Letter from General Bam Bahadur to Bhupendra Singh, Raja of Bajhang, 1906 V.S., Magh Sudi 6, Roj 7. For the said Muchulka, see Ibid., V.S. 1906, Paush (data is not mentioned)).
42. Ibid., Bundle No. 22, (Letter from Prime Minister Jang Bahadur to Sardar Kanak Singh Mahat, 1910 V.S. Shrawan Sudi 10, Roj 1).