

Governing Economic Life in Rāṇā Nepal: The Tender Process for the Gambling License at the Market Square of Asan in 1902

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Introduction

Like earlier foreign travelers to Nepal, William Brook Northey in his 1937 account *Land of the Gurkhas* dwells extensively on the alleged gambling habits of the Nepalese people, which he lists among their predominant “failings” and “vices”:

If, however, the Nepalese can be acquitted of any undue tendency to drink, the same can hardly be said of their passion for gambling, to which they are certainly inordinately addicted. ... Upon the beat of a drum—every other occupation is immediately abandoned by one and all and the whole population gives itself up forthwith to its one all-absorbing passion, for which, as it is hardly necessary to add, opportunities in plenty are provided. ... Many and extraordinary too, not to say incredible, are the stakes for which they play, as authentic records attest. Thus men have been known to stake their wives and children on a throw of the dice, while one man is even said to have cut off his left hand and put it down under a cloth as his stake. It is recorded further that on winning the game, he insisted on his opponent cutting off his hand, or else restoring all the money which he had previously won. (Northey 1937: 106–108)¹

1 Northey seems to have taken the story of the gambler staking his hand from Daniel Wright’s *History of Nepal* (Wright 1993 [1877]: 39).

Even though Northey's statement reflects the stereotypical colonial portrait of unrestrained native impulsiveness, here in the form of an untamed proclivity to gambling, the lament that gambling is rampant in Nepalese society dates well back to the nineteenth century and finds echoes in Nepali sources as well. A major example is a copper-plate inscription by King Surendra from 1855 in which the strict regulation of gambling is justified by pointing out the widespread gambling habits of the subjects that have led to their impoverishment and indebtedness.² The existing scholarship on the social history of gambling in Nepal—usually not more than a few marginal notes in the accounts of lawmaking activities of certain rulers or short paragraphs in works on social history—suffers from two shortcomings. First, in most cases only normative sources have been taken into consideration, which in turn privileges the top-down perspective.³ However, there is a huge gap between the “ought” of state regulations and the “is” of societal practice. Abstract legal rules do not reveal anything about the manifold negotiations, modifications, adaptations and appropriations which these rules inevitably face as soon as it comes to their implementation.⁴ The second shortcoming of the existing scholarship is their blindness to the economic and fiscal dimension of gambling laws. Most authors attribute the more liberal attitude towards gambling during the Rāṇā period either to the personal proclivities of certain rulers towards gambling or to the widespread passion for gambling among their subjects, which had to be accommodated.⁵ Yet what is missing in these accounts are answers to questions about the societal and state actors involved and about profits and revenues generated as well.

Therefore, in the following I try to remedy these two blind spots in the available literature by developing a perspective on gambling in Rāṇā Nepal which on the one hand investigates the dialectic between abstract codified legal rules as embodied in the *Mulukī Ain* (MA)—the most important sources for the legal history of the Rāṇā period (1846–1951)—and the socio-legal realities, and on the other hand sets gambling within the wider context of the political economy of the Rāṇā state. For this purpose, I will use the re-allocation of the gambling

2 See Tevārī 1974: 216.

3 See for example Tevārī 1974, Acharya 1975a: 147, Acharya 1975b: 167 and Vaidya/Manandhar 1985: 106–107.

4 I may refer here to fruitful approaches in socio-legal scholarship and legal anthropology which have been widely used, especially in studies on colonial legal history. See for example Benton 2002.

5 See Shrestha 1997: 91–94 and Vaidya/Manandhar/Joshi 1993: 247–253.

license at the market square around the Annapūrṇā Temple in Asan in 1902 as a micro-historical case study. Against this backdrop, I will argue that the MA was a central point of reference in the creation of the economic order at the market square of Asan. However, the implementation of legal rules was not entirely static and rigid, but could be negotiated and reshaped in a *pas-de-deux* between societal and governmental actors. Before turning to the legal and economic regulations on gambling practices at the market square of Asan, I will delineate the wider context of making laws to control gambling during the Śāha and Rāṇā periods.

Gambling and the State in the Śāha and Rāṇā Periods

Gambling emerged as an object of state intervention right from the beginning of the formation of the modern Nepalese state. After the conquest of the Kathmandu Valley, Pṛthvīnārāyaṇa Śāha (r. 1743–1775) banned gambling completely (Acharya 1975a: 147). There are three ideological factors which may have served as underpinnings for such an act. In his political testament *Divyopadeśa* (c. 1774),⁶ Pṛthvīnārāyaṇa explicitly sets himself in an unbroken line of lawmaking tradition followed by his royal predecessors.⁷ There is an edict of King Mahendra Malla (r. 1560–1574) which prohibits gambling (Regmi 1971a: 123), and Pṛthvīnārāyaṇa may thus have adopted this earlier model. Furthermore, in the *Divyopadeśa*, restraint in the face of luxury and amusement is portrayed as a prerequisite of collective strength.⁸ The ban on gambling merges seamlessly into this ideological pattern. Finally, according to important currents of classical Hindu jurisprudence

6 The authenticity of the *Divyopadeśa*, it may be noted, has been questioned, most prominently by Kamal Prakash Malla. For an overview on the debate see Whelpton 2007: 189–190.

7 “I observed the arrangements of King Ram Shah. I saw the arrangements of Jayasthiti Malla, also. I saw, too, the arrangements of Mahindra Malla. If it is God’s will, I would like to make this sort of arrangement for the 12,000” (Stiller 1968: 43).

8 “If a rich man enters into battle, he cannot die well; nor can he kill. In a poor man there is spark. If my brother soldiers and the courtiers are not given to pleasure, my sword can strike in all directions. But if they are pleasure-seekers, this will not be my little painfully acquired kingdom but a garden of every sort of people” (Stiller 1968: 44); “I am in doubt about one thing. Which thing? Muglan (India) is near. In that place there are singers and dancers. In rooms lined with paintings, they forget themselves in melodies woven on the drum and sitar. There is great pleasure in these melodies. But it drains your wealth. They also take away the secrets of your country and deceive the poor” (Stiller 1968: 46).

(Dharmaśāstra), gambling was a criminal offense comparable to theft.⁹ In the *Mānavadharmasāstra* (MDh), for instance, gambling and betting (*dyūtasamāhvaya*) is taken up under the topic of “the eradication of thorns” (*kaṅṭakasodhana*)—the extinction of criminal activities—which was one of the principal duties of a king (Olivelle 2005: 15–16; see also Hildebeitel 2011: 228).¹⁰ Therefore, Pṛthvīnārāyaṇa’s gambling law can be perceived as an attempt to follow the principles of Brahmanical orthodoxy and its vision of kingship.¹¹

In 1798 Raṇa Bahādura Śāha legalized gambling during the Tij festival (see Tevārī 1974: 214; Acharya 1975a: 167), celebrated on the 3rd of the bright fortnight of Bhādrapada, and later on it became legal during the Tihar festival, probably in acknowledgement of its socio-cultural roots with these festivals. However, it seems that this liberalization did not apply to the whole territory and in perpetuity. Mahesh Candra Regmi collected three decrees from King Gīrvāṇayuddha Vikrama Śāha (r. 1799–1816) which refer to legal regulations on gambling. The first one is from a large collection of regulations, one of which orders officials to obtain confessions from gamblers and impose corporal punishment if they continue their illegal activities (Regmi 1971b: 133). The second one is from 1809, is addressed to the Kumaon territories and bans gambling completely (Regmi 1986: 142). A third one, again from 1809, is directed at the Daraundi-Kali region and bans gambling except for the days during Tihar (Regmi 1977: 32). This indicates that until the Rāṇā period there were no consistent and universally applicable gambling laws, which highlights the fact that Nepal in the first half of the nineteenth century was still governed according to a motley, heterogeneous legal framework.

According to Baburam Acharya (1975b: 167f.), the Rāṇā period ushered in a more lenient stance towards gambling. Prime Minister

9 See, for example, MDh 9.221–222: “The king shall suppress gambling and betting within his realm; they are the two vices of rulers that devastate a kingdom. Gambling and betting amount to open theft; the king should make constant effort at eradicating them both” (transl. by P. Olivelle) (*dyūtaṃ samāhvayaṃ caiva rājā rāṣṭre nivārayet, rājyāntakaraṇāv etaṃ dvau doṣau pṛthivīkṣitām. prakāśam etat tāsakaryam yad devanasamāhvayau, tayoṛ nityaṃ praṭīghāte nṛpatir yatnavān bhavet.*).

10 However, prior to as well as after MDh the idea was current that gambling was to be regulated rather than completely banned (see, for example, ĀpDhSū 2.25.12–14 or YDh 2.199–203).

11 Several authors regard the processes of Hinduization, Sanskritization, and the application of Brahmanical norms to larger segments of the society as an overall tendency of the cultural politics of the Nepalese state after the Gorkha expansion (see, for example, Whelpton 2005: 55–60, and Toffin 2013: 58).

Deva Śamśera (r. 1901), in particular, added several additional dates to the list of days during which gambling was permitted. In accordance with an overall tendency of the Rāṇā rule to overhaul bureaucratic procedures and legal regulations (Edwards 1977: 113), this period produced not only a stabler legal framework for gambling activities, but also detailed regulations for warding off potential sources of conflict and administrative procedures for generating revenue. An early example are administrative arrangements for the Tarai region from 1849 which specify time, objects, valid size of stakes and other details, and which prohibit giving loans to gamblers (Regmi 1980b: 184). As it did for many other aspects of the Nepalese legal landscape, the MA 1854 provided a universally applicable set of rules for gambling practices which replaced the earlier regional arrangements. MA 1854 provides a separate article “On Gambling” (*juvāko*) (Art. 75) consisting of sixteen sections. The article “On Gambling” (*juvāko*) of the MA 1888 (pp. 97–100), which, among the different amended editions of the *Ain*, is temporally closest to the case study under discussion, gives an impression how elaborate gambling laws had become during the course of the second half of the nineteenth century.

Sections 1 and 2 of the article “On Gambling” specify the time and place of gambling. Legal gambling could only take place after it has been announced by drums. Traditionally, it took place during the five days of Yamapañcaka (the 13th of the dark fortnight of Kārttika to the 2nd of the bright fortnight), i.e. the days of the Tihar festival. However, by official order additional days could be added. Sections 12 to 14 state that gains and losses accrued from illegally organized gambling are null and void. The only game which is allowed is that of throwing cowries. According to sections 3 and 4, only money at the disposal of the gambler at the gambling venue can be bet on. This excludes immovable property, credit and stakes secured by sureties. The rationale for these rules is to prevent the financial ruin of gamblers and their families—especially important in contexts of shared property and collective liability—and the outbreak of violence between gamblers and the licensees of gambling venues. Section 16 lists services which are permitted and prohibited at gambling spots. Only food can be sold there. It is especially mentioned that during these days no loans are to be offered, no transfer of property is to take place and no pledges are to be accepted. Furthermore, there are plenty of rules (sections 4–10) which stipulate how ambiguous situations that may arise during games are to be adjudicated, especially regarding the positions of cowries.

Although the gambling regulations in the MA 1888 shed some light on the state's attempt to navigate between the legalization of gambling on the one hand and providing safeguards against pauperization and managing social conflicts on the other, other social, economic and administrative aspects of gambling at that time remain obscure, especially the administrative procedures required for the establishment of gambling venues, social profiles of the organizers of gambling and the revenue it generated. An insight into these aspects cannot be gained by looking into the normative legal codes only, but requires the study of administrative records. In the following, I will use a series of five documents which reflect the tender process for the gambling license at the Asan market square in 1902.

The Tender Process for the Gambling License at the Asan Market Square

The Asan Market Square

The market square in the Asan quarter of Kathmandu is an important market in the north-eastern zone, and indeed for centuries has been one of the city's chief marketplaces. This commercial area is located at a crossroads¹² around the Annapūrṇā Temple, where Newar caste groups like the Urāy still play a prominent role in trade and business (Lewis 1995: 39ff.). In the nineteenth and early twentieth century, the land on which the market square stood was categorized as *guthī-raikara*, that is, *raikara* (taxable state-owned) land which had been endowed to a *guthī* (a socio-religious association responsible for temple management and the performance of rituals and worship), which in the present case was the Annapūrṇā Guthī.¹³ This implied that for all commercial activities conducted on the premises of the Annapūrṇā Guthī licenses were required. Some of these licenses seem to have been issued on a permanent basis. Evidence for this can be gained from a stone inscription from 1839 which is preserved in a paper copy from 1904.¹⁴ In

12 For the square where the different roads meet, in the documents attached to this article the term *ḍabālī* "raised platform," is used. In the following, I have translated this term as "market square."

13 The definition of *guthī-raikara* is based on Regmi 1976: 58. We know from NGMPP K 242/30 that the market square at Asan belonged to this category of land.

14 See NGMPP K 242/30.

this inscription, the privilege of running shops is given to 43 people, in some cases specifying the kind of business they are allowed to conduct as well as the fees they are required to pay to the government and the *guthī* for particular rituals, *pūjā* materials and the remuneration of priests. The dual payment to state and *guthī* may have been due to the categorization of the land as *guthī-raikara*. The picture that emerges from this source is that of an embedded market,¹⁵ where economic activities were not only under tight state control, but also linked to ritual obligations. However, for other commercial activities and revenues, licenses could be acquired via a tender process which followed the administrative principles laid down in the MA 1888, in the article “On Revenue-Arrangements” (*rakam bandobastako*). The juxtaposition of the two principles of organizing economic activity—one determined by inherited privileges and associated with a socio-ritual community, the other dependent on market principles, and both bound together within a tightly knit bureaucratic framework—exemplifies a general characteristic of the Rāṇā polity to incorporate (seemingly) antagonistic socio-political institutions.¹⁶ In both cases, namely permanent licenses and those that were temporarily auctioned off, the income generated under the licenses had to be reported and assessed by the Guthī Jāca Aḍḍā¹⁷ and the Mulukī Aḍḍā,¹⁸ which also monitored the tender process. As will be shown later, even though the licenses were issued by the Annapūrṇā Guthī, the state enforced the rules applying to them as if the rented plots were state property. This is another expression of the overall attempt of the Rāṇā state to achieve greater legal uniformity.

15 I have taken this term from Karl Polanyi, for whom embeddedness means that the economy is not autonomous, but subordinated to politics, religion and social relations (Polanyi 2001 [1944]: 60ff.).

16 Other examples: the co-existence of the notions of divine kingship and a legally bound king, patrimonialism and rational bureaucratization; see Cubelic/Khatiwoda 2017.

17 The Guthī Jāca Aḍḍā was an institution serving an oversight function within the state’s supervision of local *guthī* management. On the basis of the documents presented here, this office was responsible for monitoring the tender process and for guaranteeing its orderly implementation as well as for book-keeping. However, it was not authorized to issue contracts and had to forward the names of prospective contractors to the Mulukī Aḍḍā for confirmation. Equally, the Guthī Jāca Aḍḍā was not entitled to decide on disputes, but had to present the case along with a statement for its solution to the Mulukī Aḍḍā which had to render a judgement. Therefore, the Guthī Jāca Aḍḍā was clearly subordinate and accountable to the Mulukī Aḍḍā. However, its exact function, and in particular its relationship to the Guthī Bandobasta Aḍḍā, is not clear to me.

18 The Mulukī Aḍḍā, something approximating a home ministry, was under the direct control of the prime minister and commander-in-chief and functioned as the central administrative unit for internal and civil affairs (Agrawal 1976: 11).

Among the licenses which were put out to tender were the licenses for operating gambling sites. In 1904 one such license was auctioned off along together with a license for running a money-changing shop.¹⁹ In order to show to what extent the process conformed to the legal prescriptions and where it differed, I now provide an overview of the tender process as laid down in the MA1888.

Revenue-farming Arrangements according to the *Mulukī Ain* of 1888

Gambling operations at the Asan market square was treated as a franchise under a state monopoly, which controlled it as a source of revenue in the same way as the exploitation of land or natural resources was licensed according to a tender process. Such revenue-farming arrangements are common features in the premodern South Asian political economy and are referred to as *ijārā*. The impact of revenue farming on commercial expansion and state building has become a highly contested issue—which can here only be sketched—in the historiography relating to eighteenth-century South Asia.²⁰ On the one side are authors like Irfan Habib (2002: 61, 65) and Tapan Raychaudhuri (1983: 6ff.) for whom the revenue-farming system represents an undermining of state power and a destructive speculative practice with especially brutal effects on the peasantry. However, a ‘revisionist’ perspective questions the negative influence of revenue farming on the eighteenth-century economy. From this point of view, the rise of a new intermediary class in combination with merchant capital induced growth, strengthened monetarization and helped to establish more commercially and bureaucratically oriented decentralized state structures (Bayly 1992: 17ff.; Alam 1986: 40ff.). Mahesh Chandra Regmi has delineated the development of the *ijārā* system for Nepal. After playing an important role in the pre-Rānā polity, revenue-farming arrangements were severely weakened in the course of the nineteenth century in favor of the *amānat* system, but they still remained in place for many smaller sources of revenue, state monopolies and commercial taxes (Regmi 1988: 77ff.). Within the *amānat* system, revenue was collected by salaried state officials, whereas in the *ijārā* system the

19 See NGMPP K 230/16.

20 An overview can be found in Chaudhuri 2008: 81ff. and Sinha 2012: 424ff. I follow Chaudhuri’s systematization of that debate.

ijārā holder (*ijārādāra*) was allowed to keep the amount beyond what was stipulated in the revenue-farming contract. In his evaluation of the economic impact of the latter, Regmi joined ranks with the first of the two above-mentioned camps. According to him, revenue-farming arrangements did not offer incentives for long-term investment in the franchises rented out on a short-term basis, and indeed were mainly exploited by members of the Rāṅā bureaucracy (Regmi 1988: 80, 137). Therefore, *ijārās* had positive effects neither on economic development nor on state building. Even though it would go far beyond the scope of this paper to reassess Regmi's evaluation, the tender process as depicted in the documents under discussion suggests that by a skillful application of the complex bureaucratic procedures the state could still jack up the prices for an *ijārā* and thereby profit handsomely. The way the procedures are laid down in the MA 1888 mirrors their purpose, namely to increase the value of the *ijārā* by encouraging competition and speculation. Furthermore, it offers an interesting example of how a patrimonial practice like tax farming can still flourish within a highly bureaucratized framework.²¹

Sections 1 and 2 of the article “On Revenue Arrangements” (*rakam bandobastako*) (MA 1888: 13–20)²² specify who is eligible to take advantage of a revenue-farming arrangement. Such persons have to be wealthy or able to put up security, and to have no outstanding private or government debts which might prevent payment in case of contractual default. According to sections 15 and 16 not only were individuals eligible; partnerships, too, were possible, and this would have been one means of increasing the amount of investable capital. The *ijārā* itself was granted on a three-year basis (section 4). Such a short-term contract period allowed the state to re-assess the value of an *ijārā* and re-allot it under its current market price. The process of stipulating the payable sum was ascertained by a tender process, which is the subject of section 8. Since the events narrated later largely depend on this section, I will quote it here in detail:

§8 *vaḍhāvaḍha garāi vā ghaṭāghaṭa garāidinu parnyāmā*
ainavamojimako rīta puryāi kavula garṇyākā nāumā 7 dinako
myāda purjī leṣi aḍāko chāpa lagāi so dīnyā aḍākā ḍhokāmā
1 savaile dekhane ṭhāumā 1 sohi ṭhāumā 1 purjī ṭāsi 6 dinakā

21 This point has been made by Martin 2015 with regard to revenue farming in colonial India.

22 A reliable translation of this article can be found in Regmi 1980a.

dina jāheri rapoṭa dī so jāheriko nikāsā āyāpachi myāda gujāri jo garnuparnyā garidinu. ainavamojimako rīta napugi 7 dinakā myāda nāghyā paṇi dina hudaina. rīta napuryāunyā hākimalāi sajāya huñcha. (MA 1888, p. 15)

When [a contract] is to be issued on either high[est] or low[est] bids, a notice with a seven-day deadline shall be issued in the name of the person who promises [the highest or lowest sum] and observes [all] formalities in accordance with the *Ain*. [At that time] the stamp of the office shall be affixed [to the notice] and one [notice] shall be posted at the door of the office, one at a place where everyone can see [it], and one at place in question itself.²³ On the sixth day, a report on the notification shall be given [to the higher office]. When a decision on the notification (i.e., the submitted report) arrives, then once the deadline has expired whatever is to be done shall be done. No [contract] shall be granted even after the seven-day deadline has expired if [all] formalities have not been observed in accordance with the *Ain*. A government officer who does not observe the formalities shall be punished. (Transl. by S.C.)

According to this section, making information about the bidders and their actual bids public has to be guaranteed at several steps during the process, and there are many opportunities for potential bidders to step in and submit their bids within the seven-day deadline. Once the highest or lowest bid is established on the sixth day of the deadline period, a higher authority, the Mulukī Aḍḍā, as NGMPP K 499/44 (Doc. 1 of the Appendix) reveals, assessed the validity of the process and had to sanction the result before a contract (*theka*) could be issued. However, the bureaucratic machinery in Rāṇā Nepal was not unstoppable. As the case study will show, petition could be an effective method to exert influence on the implementation of bureaucratic procedures.

23 Probably this refers to the place where the contracted revenue will be generated.

The Re-allotment of the Gambling License, 1902

The tender process for the gambling license in 1902 is recorded in a series of five documents which will be summarized and analyzed in the following.

The first document (NGMPP K 499/44; Doc. 1 of the Appendix), a report from the Guṭhī Jāca Aḍḍā from the 13th of the dark fortnight of Āśvina, pertains to the outcome of one particular tender process. It is reported that a certain Meheramāna Nhuche Pradhāna offered 35 *moru*²⁴ per annum for the license and submitted a bond (*kaḅula*) of his bid accordingly. In the second step, a notice of Meheramāna's bid was posted. On the sixth day of the seven-day deadline, a man called Kṛṣṇavīra submitted a bid which topped Meheramāna's bid by two *moru*. However, Meheramāna quickly went Kṛṣṇavīra three *moru* better. It seems that Kṛṣṇavīra then dropped out of the competition, since the report mentions that a new notice with Meheramāna's bid had been posted for another six days. After this, another notice with a one-day deadline was posted, to give prospective bidders one last chance. When no other bids were received, the license was granted to Meheramāna for 40 *moru* per annum.

The next document from this series (NGMPP K 499/46; Doc. 2 of the Appendix) is dated one day later, the 14th of the dark fortnight of Āśvina. It is a written statement made by three witnesses. All three confirm that a notice was posted which announced Meheramāna's bid of 40 *moru* for six days, and then on the 13th of the dark night of Āśvina another one-day notice was posted. However, this notice was blown away by the wind. Both documents prove that the process laid down in the MA 1888 was followed: Bids were invited, notices of the highest bids publicly posted for six days, a report was sent to the Mulukī Aḍḍā, which gave its sanction, and finally a one-day deadline for receiving further bids announced. Document 2 shows that even a deviation like the disappearance of the notice containing the one-day deadline had to be compensated for by a written statement of three witnesses in order to prove that the tender process adhered to the official regulations. However, the documents not only corroborate the legal prescriptions, but also elucidate details of the tender process and inter-office communications within the administrative network overseeing the *guṭhīs*.

24 Abbreviation for *mohara rupaiyā*, "a Nepali monetary unit equivalent to two eight-anna silver pieces (*mohar-s*) or 64 *paisa-s*" (Pant/Pierce 1989: 93).

The bids were received at a local office and afterwards forwarded to the Guṭhī Jāca Aḍḍā, which prepared a report and sent it to the Mulukī Aḍḍā. The latter made the final decision and returned it to the Guṭhī Jāca Aḍḍā. Still, from the following events it is seen that it was possible to deviate from what is spelled out in the MA 1888.

The subsequent document (NGMPP K 499/41; Doc. 3 of the Appendix), dated the 6th of the bright fortnight of Āśvina, records the decision of the commander-in-chief²⁵ on the petition of a certain Kularatna, who missed the deadline for submitting his bid and asks to be allowed to participate in the process. As an excuse why he could not make it to the authorized office on the last day of the deadline during opening hours, he states that he had to attend a death ceremony. In the first part of the document, the opinion of the Apīla Aḍḍā on the case is quoted, which recommends that Kularatna nevertheless be allowed to participate. The Apīla Aḍḍā is often referred to as the country's highest appellate court. But its earlier designation, Binṭipatra Niksari Aḍḍā, implies that it also dealt with sorts of petitions.²⁶ Later in the document, the statement of the Apīla Aḍḍā is followed by a statement of a clerk at the Guṭhī Jāca Aḍḍā, who argues that the participation of Kularatna violates the prescribed procedure and that the contract of Meheramāna had already been approved. Finally, however, the oral decision of the commander-in-chief is quoted, who decided that Kularatna be allowed to submit his bid, but the bidders should be assembled and the license be auctioned off due to the fact that Dasaī and consequently the days for gambling were imminent and therefore not enough time to conduct a proper tender process. In any case, it is noteworthy that one of the reasons given for the exception is that Kularatna at least arrived during the evening on the day of the deadline, which can be seen as an attempt to reconcile the exception with the existing legal framework.

What we are witness to in the following two documents in consequence of this decision is an out-and-out bidding war between Meheramāna and Kularatna, as recorded in two bonds (NGMPP K 499/48, K 499/47, Docs. 4 and 5 of the Appendix), both from the 12th of the bright fortnight of Āśvina, i.e., six days after the date of Document 3. It seems that the context of these two documents is a meeting between the two interested parties ordered by the commander-in-chief, in which the license was supposed to be auctioned off. In the first of these two

25 In Rāṇā Nepal the prime minister simultaneously held the office of commander-in-chief.

26 See Agrawal 1976: 36ff.

documents, Meheramāna promises to pay 60 *moru* per annum, four *moru* more than Kularatna. By contrast, in the next document Meheramāna admits that he has been outbid by Kularatna: he cannot offer more than 80 *moru*, whereas the latter is ready to pay as much as 84 *moru* per year.

How is this suspension of the usual procedure to be understood? Since the documentary evidence is fragmentary, it is not possible to give an unambiguous answer. I can only offer two possibilities here:

First, the exception was granted in order to increase income for the *guṭhī* in question. Thanks to the bidding war between Meheramāna and Kularatna, the rent finally climbed up to 84 *moru* per year, more than double the amount of the first tender. Ordering a new tender may simply have been a strategy to spark the competition and thereby increase the value of the gambling license. Second, Kularatna perhaps received preferential treatment due to the fact that he had contracted other revenue-generating arrangements with the Annapūrṇā Guṭhī. From a report of the Guṭhī Bandobasta Aḍḍā (Guṭhī Affairs Office)²⁷ from 1904²⁸ we know that Kularatna entered into a revenue-generating contract involving two pieces of *guṭhī-raikara* land belonging to the Annapūrṇā Guṭhī. Therefore, it may be the case that the administration granted this exception to someone known as a reliable contractor.

Conclusion

The regulations for gambling in Rāṇā-era Nepal served three objectives: first, to accommodate an established socio-ritual practice; second, to maintain social order; and third, to generate income for the state. The last of these was achieved by treating gambling as a state monopoly, whose venues were rented out for the highest bid according to principles governing revenue-farming arrangements (*ijārā* system). The case study presented here proves that the bureaucratic procedures for the management of the *ijārā* system laid down in the MA 1888 were largely in practice in the context of the Annapūrṇā Guṭhī. The prescribed procedures were made reference to and observed within the *guṭhī* administration

27 The Guṭhī Bandobasta Aḍḍā appears to have been established by Jaṅga Bahādura Rāṇā in 1852–1853 to replace the former Guṭhī Kacahārī. Its foundation marks the change from the *guṭhīvāri* system of *guṭhī* management to the contractor-based system (see Regmi 1978: 713–714).

28 See NGMPP K 242/31.

and inter-office communications. Even the order issued under the name of the commander-in-chief, which obviously deviated from the injunctions of the MA (NGMPP K 499/41; Doc. 3 of the Appendix), is formulated as an interpretation of the existing legal framework rather than explicitly overruling it. This underlines the high normative value the MA enjoyed in the self-representation of the Rāṇā state.

Still, it would be misleading to take a solely legalistic approach to the study of market governance during the Rāṇā period, since legal regulations were not completely hewn in stone. Bureaucratic instruments existed, which provided societal actors with room to negotiate their way through the legal framework. It seems that the practice of petitioning was crucial in this context, and quite effective as well, as our case suggests.²⁹ Kularatna's petition did not end up in a dusty office shelf, but was forwarded by the Apīla Aḍḍā to the responsible offices. Thus it appears that the Apīla Aḍḍā may have played an important role in translating demands from societal actors into state practice. Still, a petition itself without some means of allowing regular administrative procedures to be suspended would have been ineffective. We find one such option in the order of the commander-in-chief (*pramāṅgī*). However, in the present case it remains unclear whether granting the petition served more the interests of the petitioner or those of the bureaucracy, which was able to increase the value of the revenue-generating arrangement by admitting another competitor.

This micro-historical study, then, raises a number of general and theoretical questions on state and society in Nepal's 'long nineteenth century': Was the dialectic between petitions and the orders of the commander-in-chief one that allowed societal actors from below to influence and redirect rigid state policies, and consequently kept the state responsive to initiatives from below? Or was it rather an instrument that enabled state authorities to employ legal measures arbitrarily, turning a predictable legal framework into an extra-legal despotism? Only further research on the interaction between state, law and society in Rāṇā-era Nepal will help to answer these questions.

29 The role of petitions has been stressed in recent approaches to "state building from below" which emphasize communicative and other interactional angles as well as local initiatives in the development of early modern statehood in Europe (see e.g. Holenstein 2009: 5, 13f.). Recently, S. Rupakheti (2016) has considered the formation of the Nepalese state along these same lines.

Appendix

Editorial Conventions

The texts have been transcribed as faithfully as possible; the orthography, for instance, has not been changed into modern Nepali. Nepali case endings are treated as true suffixes and Nepali compound verbs have been joined. The *nukta*-sign (as in ऋ, ॠ) and middle dot (•)³⁰ have been silently ignored in the editions. The *daṇḍa* (‖) has been supplied to the text as a sentence breaker where necessary. The various types of macrons and lines are uniformly represented by “---”. Line numbers have been added for the main body of the original text.

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Editorial Signs

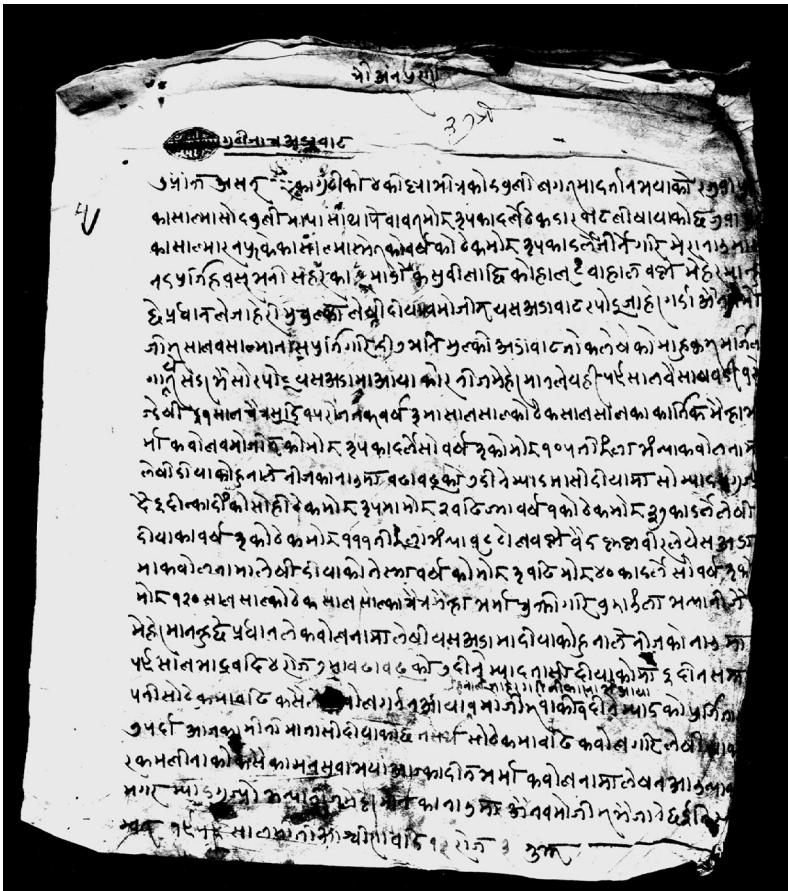
[]	editorial addition
{ }	editorial deletion
[...]	lacuna, breakage
<>	scribal addition

30 This sign in many cases functions as a word separator but it is sometimes also used without any obvious purpose.

Document 1: A Report by the Guṭhī Jāca Addā re the Tender Process of the Gambling License at the Market Square of Asan

Dated VS 1959, Tuesday, the 13th of the dark fortnight of Āśvina (1902 CE); Guṭhī Saṁsthāna card no. 4; Po. no. 4 Gu. Bam.; microfilmed as NGMPP K 499/44; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.37000>.

Facsimile:



Edition:

श्री अन्नपूर्णा

?

[Seal]

- 1 गुठी जाच अड्डावाट
उप्रान्त असन् ---?---का गुठीको ४ कील्लाभीत्रको डवुली लगत्मा दर्ता नभयाको र जुवा [फुके]-
का साल्मा सो दवुलीमा पासा थापेवापत् मोरु ३५ का दर्ले ठेकदारवाट लीषायाको छ । जुवा [फुके]-
का साल्मा र नफुकेका साल्मा स्मेत्को वर्षको ठेक मोरु ३५ का दर्ले तीर्ने गरि मेरा नाउमा [स]-
- 5 नदपुर्जि हवस् भनी सहर काठमाडौं कसुवीलाछिको हाल टुंवाहाल वस्ने मेहेरमा[न] न्हु-
छे प्रधानले जाहेरी मुचुल्का लेषीदीयावमोजीम् येस अडावाट रपोट् जाहेर गर्दा ऐनवमो-
जीम् सालवसाल्मा ताँसपुर्जि³¹ गरिदीनु भनि मुल्की अडावाट तोक लेषेकोमा हुकुम मर्जि ल-
गा<ये>त् सदर भै सो रपोट् येस अडामा आयाको र नीज मेहरमानले यही ५९ साल वैसाष वदी ?
[रो]-
ज्देषी ६१ साल चैत्र सुदि १५ रोजतक् वर्ष ३ मा सालसाल्को ठेक सालसालका कार्तिक मैन्हाभ-
- 10 मा कवोलवमोजीम्को मोरु ३५ का दर्ले सो वर्ष ३ को मोरु १०५ तीरुला भन्या कवोलना[मा]
लेषीदीयाको हुनाले नीजका नाउमा वढावढ्को ७ दीने म्याद मासीदीयामा³² सो म्याद नगुज्र-
दै ६ दीन्का दीको सोही ठेक मोरु ३५ मा मोरु २ वढि ज्मा वर्ष १ को ठेक मोरु ३७ का दर्ले लेषी-
दीयाका वर्ष ३ को ठेक मोरु १११ तीरुला भन्या वट्टोल वस्ने वैद कृष्णवीरले येस अडा-
मा कवोलनामा लेषीदीयाको तेस्मा वर्षको मोरु ३ वढि मोरु ४० का दर्ले सो वर्ष ३ को
- 15 मोरु १२० सालसाल्को ठेक सालसाल्का चैत्र मैन्हाभर्मा चुक्ती गरि वुझाउंला भन्या नीजै
मेहेरमान न्हुछे प्रधानले कवोलनामा लेषी यस अडामा दीयाको हुनाले नीजको नाउमा
५९ साल भाद्र वदि ४ रोज ७ मा वढावढ्को ७ दीने म्याद तासीदीयाकोमा³³ ६ दीनसम्म
पनी सो ठेकमा वढि कसैले कवोल गर्न नआया<को हुनाले जाहेर गरी नीकासा भै आया>वमोजीम्
वाकी १ दीने म्यादको पुर्जि ता[स]-
नु³⁴ पर्दा आजका मीतीमा तासीदीयाको³⁵ छ । तसर्थ सो ठेकमा वढि कवोल गरि लेषीयाको
- 20 रकम लीनाको कसैका मनसुवा भया आज्का दीनभर्मा कवोलनामा लेषन आउन्या का-
म गर । म्याद गुज्र्यो भन्या नीज मेहरमानका नाउमा ऐनवमोजीम् भैजाने छ । ईति स-
म्बत् १९५९ साल मीती आश्वीण वदि १३ रोज ३ शुभम् । ---

31 For *ṭāsapurjī*.

32 For *ṭāsīdīyāmā*.

33 For *ṭāsīdīyākomā*.

34 For *ṭā|s|nu*.

35 For *ṭāsīdīyāko*.

Translation:

Venerable Annapūrṇā 1

From the Guṭhī Jāca Aḍḍā.³⁶

Uprānta:³⁷ The market square which is within the four boundaries of the Guṭhī of -1- (i.e., Venerable Annapūrṇā) at Asan is not registered in the record book. The contractor has been made to write down the rate of 35 *moru* for establishing gambling at the market square during the years when gambling is permitted. A report was sent by the Aḍḍā in accordance with testimony given by Meheramāna Nhuche Pradhāna from Kasuvīlāchi, city of Kathmandu, who currently lives in Ṭuṃvāhāla, stating: “An order (*sanada-purjī*) should be issued under my name that I pay the rate of 35 *moru* per annum during the years when gambling is permitted as well as the years when it is not permitted.” It was sanctioned by the Mulukī Aḍḍā, which stated: “Every year post a notice in accordance with the *Ain*.” This report was returned to this Aḍḍā with the approval of the [above-mentioned] order. Meheramāna has written a promissory statement stating: “As promised, I will pay the annual contract [sum] for three years starting from ...³⁸ day, the 1st of the dark fortnight of Vaiśākha in the [Vikrama] year [19]59 to the 15th of the bright fortnight of the [Vikrama] year [19]61 every year within the month of Kārttika, [which amounts to] 105 *moru* for three years at the rate of 35 *moru* [per annum].” Therefore, the seven-day deadline for [the submission of] bids was posted under the name of that person. On the sixth day when the deadline had not yet expired, Vaida³⁹ Kṛṣṇavīra, who lives in Vaṭu Ṭola, wrote a bond to this Aḍḍā, stating: “As I wrote, I will pay 111 *moru* for the three-year contract at the rate of 37 *moru* per annum, which is two *moru* more than the 35 *moru* [promised earlier].” [In response] to this [bid], Meheramāna Nhuche Pradhāna wrote a bond and submitted it to the Aḍḍā, stating: “I will pay 120 *moru* for three years at the rate of 40 *moru* [per annum,] which is 3 *moru* more, with each year’s contract sum being cleared within the month of Caitra.” [Thus] the seven-day deadline for [submission of] bids was posted

36 A seal, probably of the Guṭhī Jāca Aḍḍā, has been affixed to this line.

37 Lit. “hereafter.” In earlier prose and documents, this word marked the beginning of a text or paragraph.

38 Due to breakage in the manuscript, the weekday cannot be determined.

39 This is probably meant as the professional title *vaidya*, an Ayurvedic doctor.

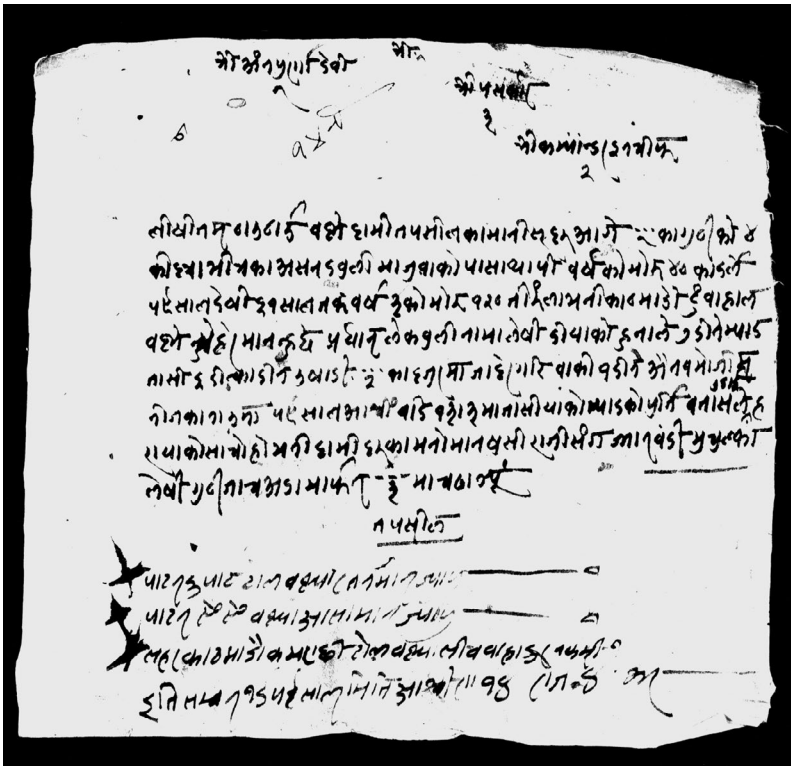
on Saturday, the 4th of the dark fortnight of Bhādra in the [Vikrama] year [19]59. Since nobody came to promise more for the contract even by the sixth day [of the deadline period], the notice for the last day of the deadline period had to be posted in accordance with the decision [taken] on the information given. It has been posted today. Therefore, if anybody wishes to take the contract fee as described by promising more [than the bid of 120 *moru* for three years] for this contract, come to write a bond by today. If the deadline expires, [the contract] will be [issued] under the name of Meheramāna.

Tuesday, the 13th of the dark fortnight of Āśvina in the [Vikrama] year 1959.

Document 2: A Written Statement by Ratanamāna Jyāpu, Āsāmāna Jyāpu and Sīva Bāhādura Nakarmī re the Reassignment of the Gambling License at the Asan Market Square

Dated VS 1959, Wednesday, the 14th of Āśvina (1902 CE); Guṭhī Saṃsthāna card no. 6; Po no. 4 Gu. Bam.; microfilmed as NGMPP K 499/46; for the digital edition, see DOI: <https://doi.org/10.11588/digit.36938>.

Facsimile:



Edition:

श्री\

श्री अंनपूर्णा देवी

१

श्री ५ सर्कार

३

श्रीकम्यान्डर इन चीफ

२

<१४ नं>⁴⁰

- 1 लीषीतम् ठाउठाऊ वस्ने हामी तपसीलका मानीसहर । आगे ---१---का गुठीको ४ कील्लाभीत्रका असन दवुलीमा जुवाको पासा थापी वर्षको मोरू ४० का दर्ले ५९ सालदेशी ६१ सालतक वर्ष ३ को मोरू १२० तीरूला भनी काठमाडौं टुंवाहाल वस्ने मेहेरमान न्हुछे प्रधानले कवुलीनामा लेषीदीयाको हुनाले ७ दीने म्याद
- 5 तासी⁴¹ ६ दीन्का दीन उषाडी ---२---का हजुरमा जाहेर गरि वाकी १ दीने ऐनवमोजीम नीजका नाउमा ५९ साल आश्वीं वदि १३।३ मा तासीयाको⁴² म्यादको पुर्जि वतासले <उडाई> ह- रायाको साचो हो भनि हामीहरूका मनोमान षुसीराजिसंग ज्मान् वंदी मुचुल्का लेषी गुठी जाच अड्डामार्फत् ---३---मा चढाज्यू । ---

तपसील

- 10 पाटन् दुपाट टोल वस्न्या रतनमान ज्यापु ---१
पाटन् ऐं ऐं वस्न्या आसामान ज्यापु --- १
सहर काठमाडौं कमराछीटोल वस्न्या सीव वाहादुर नकर्मी --- १

इति सम्वत् १९५९ साल मिति आश्वीण १४ रोज ४ शुभम् ---

40 Added by a second hand in the upper margin.

41 For *tāsī*.

42 For *tāsīyāko*.

Translation:

Śrī

Venerable Goddess Annapūrṇā 1

Five-times Venerable Sarkāra⁴³ 3

Venerable Commander-in-Chief 2

No. 14⁴⁴

The following has been written by us, the persons mentioned in the details [below], residing in separate places. *Āge*:⁴⁵ Meheramāna Nhuče Pradhāna, who lives in Ṭuṃbāhāla, Kathmandu, [earlier] wrote [the following] bond: “I will arrange for the dice for gambling at the Asan market square within the four boundaries of the Guṭhī of -1- (i.e., Venerable Goddess Annapūrṇā) and pay 120 *moru* for three years from the [Vikrama] year [19]59 to [19]61 at a rate of *moru* 40 per annum.” A notice [to this effect] was posted for [the official] seven-day period. On the sixth day it was removed and -2- (i.e., Venerable Commander-in-Chief) was informed of this [fact]. It is true that when one day was left on the fixed-period notice, which was posted on Tuesday, the 13th of the dark fortnight of Āśvina in the [Vikrama] year [19]59, under the name of the above-mentioned person in accordance with the *Ain*, it was lost, having been blown away by the wind. We have of our own volition submitted a witnessed written statement (*muculkā*) [to this effect] to -3- (i.e., Five-times Venerable Sarkāra) through the Guṭhī Jāca Aḍḍā.

Details:

Ratanamāna Jyāpu, residing in Dupāṭa Ṭola, Patan --- 0

Āsāmāna Jyāpu, residing at the same place (i.e., Dupāṭa Ṭola), Patan --- 0

Sīva Bāhādura Nakarmī, residing in Kamalāchī Ṭola, the city of Kathmandu --- 0

On Wednesday, the 14th of Āśvina in the [Vikrama] year 1959. [May it be] auspicious.

43 Lit. “five-times venerable ruler”; title used by the Śāha kings (Whelpton 2005: 266).

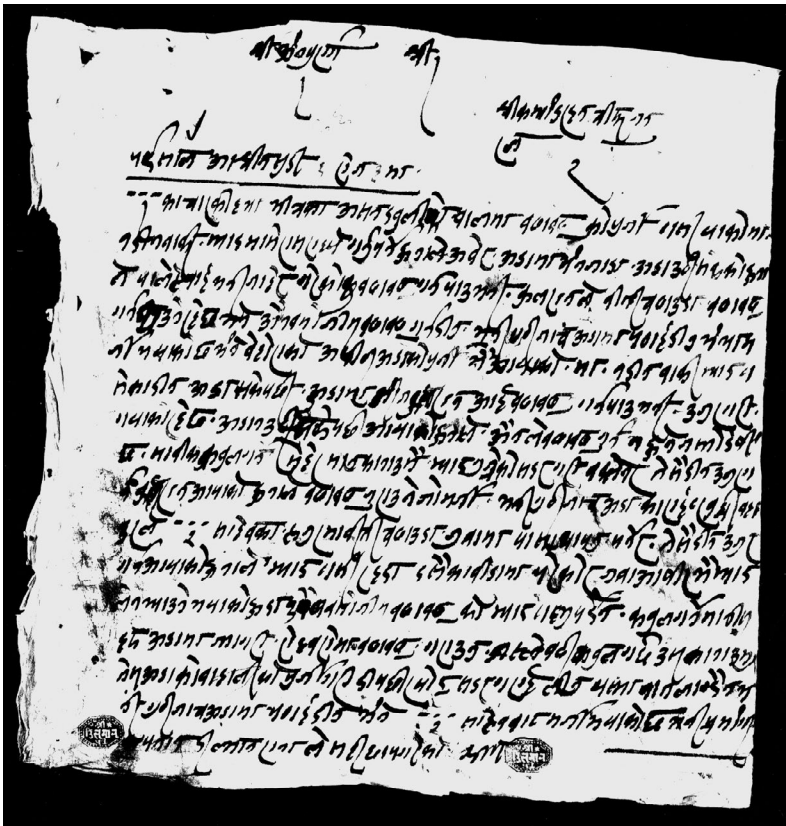
44 The meaning of this number is unclear and may have been assigned for archival purposes.

45 Lit. “henceforward”; used in documents to mark the beginning of a text or paragraph.

Document 3: A Pramāṅgī by the Commander-in-Chief re the Tender Process for the Gambling License at the Market Square of Asan

Dated VS 1959, Tuesday, the 6th of the bright fortnight of Āśvina (1902 CE); Guṭhī Samsthāna card no 1; Po. no. 4. Gu. Bam.; microfilmed as NGMPP K 499/41; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.36999>.

Facsimile:



Edition:

श्री\

श्री अनंपूर्णा

१

श्री कम्यांडर इन चीफ जन-

रल

२

- 1 ५९ साल आश्वीन सुदी ६ रोज ३ मा
---१---का चार कील्लाभीत्रका असन दवुलिको वालमा वढावढको पुर्जी टासीयाकोमा
१ दीन वाकी म्यादमा मेरा सराध्ये गर्नुपर्ने हुनाले अवेर अडामा भन जादा अडा उठीसकेको हुना-
ले पालेलाई भनी जाहेर गरेको छु वढावढ गर्न पाउ भनी कुलरत्नले वीन्ती चढाउदा वढावढ
5 गर्न पाउने रहेछ भने ऐनवमोजीम वढावढ गर्न दीनु भनी गुठी जाँच अड्डामा पठाईदीनु भन्थ्या म-
र्जी भयाको छ भने वेहोराको अपील अड्डाको पुर्जी भै आयाकोमा १ दीन वाकी म्याद व-
सेका दीन अडा सकेपछी अडामा रातीज⁴⁶ कुलरत्न आई वढावढ गर्न पाउ भनी उजुर गरी
गयाको रहेछ । अडा { न } उठीसकेपछी आयाको हुनाले ऐनले वढावढ गर्नु नहुने जस्तो दर्षी-
छ । सावीक कवुल गर्ने मेहेरमानका नाउमै म्याद गुज्रेको सदर गरीवकस्यो तर तेसै दीन उजुर ग-
10 र्न कुलरत्न आयाको हुनाले वढावढ गराउने जो मर्जी भनी गुठी जाच अडाका राईटर वुद्धी वहा-
दुरले ---२--- साहेवका हजुरमा वीन्ती चढाउदा जुवामा पासा थापनु पर्ने र तेसै दीन उजुर
गर्न आयाको हुनाले म्याद टासीरहदा दसैका वीदामा परेको र जुवा आषीर भै म्याद-
ले नभ्याउने भयाको हुदा ऐनवमोजीम वढावढको म्याद टास्नु पर्दैन । कवुल गर्ने मानीस-
हरु अडामा ज्मा गरी रोहवरोमा वढावढ गराउनु । जस्ले वढी कवुल गर्छ उस्का नाउमा
15 तेस् अडाको वाहालीको पुर्जी गरीदी पछी रपोट सदर गराई लीनु । यस्मा वात लाग्दैन
भनी गुठी जाच अडामा पठाईदीनु भने ---२--- साहेववाट मर्जी भयाको छ भनी प्रमांगी
कपतान दील्मान रानाले सहीछाप गरेको । छाप ---

[seal of Dilamāna Rānā; at the bottom-left margin]

[seal of Dilamāna Rānā; at the bottom-right margin]

Translation:

Śrī

Venerable Annapūrṇā 1

Venerable Commander-in-Chief General 2

On Tuesday, the 6th of the bright fortnight of Āśvina in the [Vikrama] year [19]59.

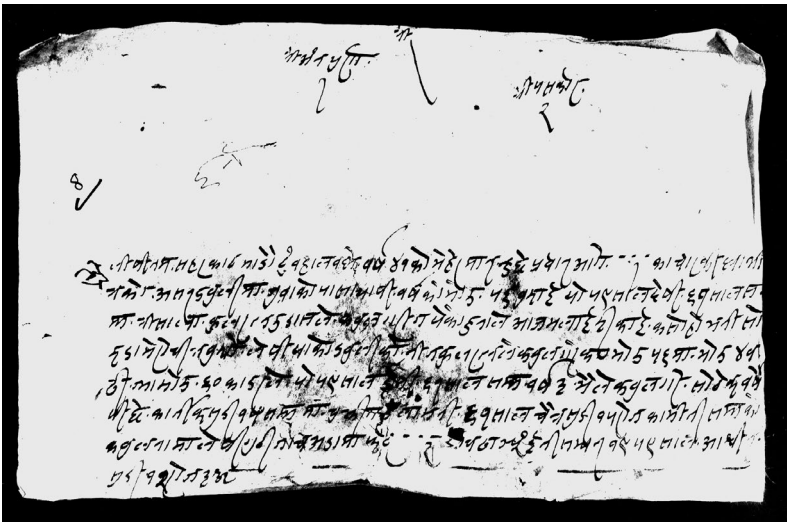
A note from the Apīla Aḍḍā [earlier] arrived with the following details: Kularatna has submitted a petition stating: “In the matter of the note posted for the bidding process for renting the market square of Asan within the four boundaries of -1- (i.e., the Guṭhī of Venerable Annapūrṇā), given that I had to perform a death ritual on the last day before the deadline, and since the Aḍḍā had already closed when I went, [too] late, to tell this to it, I informed the watchman, [so please] let me participate in the bidding.” [The following] was ordered: if he is eligible to bid, let [him] make a bid in conformity with the *Ain* and send his bid afterwards to the Jāca Aḍḍā. Buddhī Bahādūra, the clerk of the Guṭhī Jāca Aḍḍā, informed -2- (i.e., the Commander-in-Chief General), stating: “Kularatna came to the Aḍḍā in the night when the Aḍḍā had already closed, on the day which was the last day of the deadline [period] and made a petition, stating: ‘[Please] let me participate in the bidding.’ It seems that according to the *Ain* we should not let him participate in the bidding, since he arrived when the Aḍḍā [already] had closed. You gave post-deadline approval in the name of Meheramāna who had earlier promised [a sum in the bid], but since Kularatna came that same day to make a petition, whatever order [you give] in the matter of the execution of the bidding [we shall obey].” -2- (i.e., the Commander-in-Chief General) Sāheba has ordered [the following]: “Since he came on the same day to make a petition as the dice for gambling had to be arranged and since it was during the Dasaī holidays that the deadline had been posted, and since a [new] deadline cannot be announced, given that [the days left for] gambling are coming to an end, a [new] deadline for the bidding need not, according to the *Ain*, be posted. Assemble the people who have promised [a sum] in the Aḍḍā and carry out the bidding in their presence. Issue an appointment letter from the Aḍḍā in the name of the person who promises the highest [sum], and later obtain approval of the report [sent]. In this matter you will not be blamed. Forward it (i.e., the report) to the Guṭhī Jāca Aḍḍā.” This has been signed and stamped by Captain Dilamāna Rānā.⁴⁷

47 The seal of Dilamāna Rānā has been affixed to the beginning and end of this line.

Document 4: A Promissory Note by Meheramāna Nhuche Pradhāna to the Government re the Gambling License at the Market Square of Asan

Dated VS 1959, Tuesday, the 12th day of the bright fortnight of Āśvina (1902 CE); Guṭhī Saṁsthāna card no. 8; Po. no. 4. Gu. Bam.; micro-filmed as NGMPP K 499/48; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.32509>.

Facsimile:



Edition:

श्री\
श्री अंनपुर्णा
१
श्री ५ सर्कार
२
सही⁴⁸

- 1 लीषीतम सहर काठमाडौं टुंवहाल वस्ने वर्ष ४१ को मेहेरमान् न्हुछे प्रधान् । आगे ---१---का चार
कील्लाभी-
त्रको असन् दवुलीमा जुवाको पासा थापी वर्षको मोरु ५६ बुझाई यो ५९ सालदेशी ६१ साल स-
म्म त्रीसाला कुलरत्न उदासले कवुल गरीगयेको हुनाले आज मलाई झीकाई कसो हो भनी सो-
द्धा मेरो चीत्त बुझी लेषीयाको दवुलीको नीज कुलरत्नले कवुल गरेका मोरु ५६ मा मोरु ४ व-
5 ढी जमा मोरु ६० का दरले यो ५९ सालदेशी ६१ सालसम्म वर्ष ३ मैले कवुल गरे । सो ठेक् वर्षे-
पीछे कार्तीक सुदी १५ सम्ममा चुक्ती गरुला भनी ६१ साल चैत्र सुदी १५ रोजका मीतीसम्मको
कवुलनामा लेषी गुठी जाच अडा मार्फट ---२--- मा चढाज्यं । ईती सम्बत् १९५९ साल आश्वीन
सुदी १२ रोज ३ शुभम् ---

48 The signature of Meheramāna Nhuche Pradhāna is in the left hand margin.

Translation:

Śrī

Venerable Annapūrṇā 1

Five-times Venerable Sarkāra 2

Signature

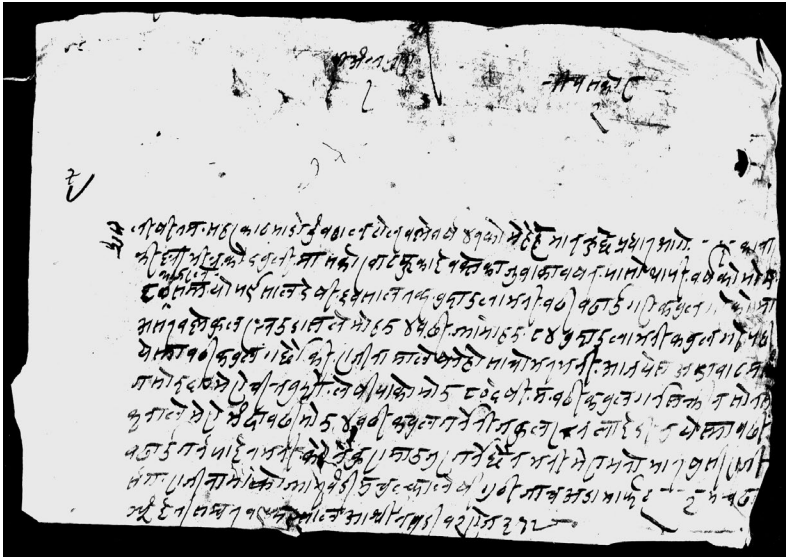
[The following] has been written by [me,] Meheramāna Nhuche Pradhāna, aged 41 [and] living in Tuṃbahāla, Kathmandu: “Kularatna Udāsa made a promise to pay 56 *moru* per annum for three years from [Vikrama year] [19]59 to [19]61 [for the contract] for organizing gambling at the market square of Asan within the four boundaries of -1- (i.e., the Guṭhī of Venerable Annapūrṇā). Therefore, today I was called to the Aḍḍā and when I was asked about this, I was content to promise 4 *moru* on top of the 56 *moru* which had already been promised by Kularatna Udāsa [for the gambling contract at] the said market square—thus amounting to a rate of 60 *moru* per annum in total for three years, from [Vikrama year] [19]59 to [19]61. I submit a written bond to -2- (i.e., Five-times Venerable Sarkāra) through the Guṭhī Jāca Aḍḍā for the period up to the 15th day of the bright fortnight of Caitra in 1961, stating that I will pay off the contract [sum] every year by the 15th of the bright fortnight of Kārttika.”

Tuesday, the 12th of bright fortnight of Āśvina in [the Vikrama year] 1959.

Document 5: A Written Statement by Meheramāna Nhuche Pradhāna to the Government Withdrawing from the Tender Process for the Gambling License at the Market Square of Asan

Dated VS 1959, Tuesday, the 12th of the bright fortnight of Āśvina (1902 CE); Guthī Saṁsthāna card no. 7; Po. no. 4. Gu. Bam.; micro-filmed as NGMPP K 499/47; for the digital edition, see DOI: <https://doi.org/10.11588/digitlit.32510>.

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Edition:

श्री
श्री अनंपूर्णा
१
श्री ५ सर्कारि
२
सहि⁴⁹

- 1 लीषीतम सहर काठमाडौं टुंवाहालटोल वस्ने वर्ष ४१ को मेहेरमान् न्हुछे प्रधान् । आगे ---१---का
चार
कील्लाभीत्रको दवुलीमा सर्कारिवाट फुकाईवक्सेका जुवाका वषत् पासो थापी वर्षको मोरु
८० <का दरले> {सम्म} यो ५९ सालदेषी ६१ सालतक् वुझाउला भनी वढीवढाऊ गरि कवुल
गरेकोमा
असन् वस्ने कुलरत्न उदासले मोहरु ४ वढी ज्मा मोहरु ८४ वुझाउला भनी कवुल गरेपछी
5 येस्मा वढी कवुल गछीं की राजीनामा लेषने हो साचो भन भनी आज येस अडावाट म[सं]-
ग सोद्दा मेरो चीत्त वुड्यो । लेषीयाको मोरु ८० देषी म वढी कवुल गर्न सक्तीन । सो नस-
क्नाले मेरो भंदा वढी मोरु ४ {वढी} कवुल गर्ने नीज कुलरत्नलाई दीनु । येस्मा वढी-
वढाऊ गर्न पाईन भनी कौनै कुरामा उजुर गर्ने छैन भनी मेरा मनोमान षुसीराजी-
संग राजीनामाको ज्मान् वंदी मुचुल्का लेषी गुठी जाच अडा मार्फट ---२--- मा चढा-
10 ज्युं । ईती सम्वत् १९५९ साल आश्वीन सुदी १२ रोज ३ शुभम् । ---

49 The signature of Meheramāna Nhuche Pradhāna is in the left hand margin.

Translation:

Śrī

Venerable Annapūrṇā 1

Five-times Venerable Sarkāra 2

This has been written by [me,] Meheramāna Nhuche Pradhāna, aged 41 [and] living in Ṭuṃbahāla Ṭola, Kathmandu city. *Āge*: I increased the bid and made a promise, stating: “I will organize gambling on the occasions permitted by Sarkāra at the market square [of Asan, which is] within the four boundaries of -1- (i.e., the Guṭhī of Venerable Annapūrṇā) and will pay [for the contract] at a rate of 80 *moru* per annum from [19]59 to [19]61.” Whereupon Kularatna Udāsa, who is living at Asan, made a promise, stating: “I will pay 4 *moharu* more, [that is,] 84 *moharu* in total [per year].” Today I was asked about this matter by this Aḍḍā: “Say truly whether you’ll promise more on top of that or intend to write a letter of withdrawal,” I was content [to say]: “I cannot promise more than the 80 *moru* [already] written [by me]. Since I cannot [promise more than that], give [the contract] to Kularatna, who has promised 4 *moru* more than me.” I have willingly written [the present] statement of withdrawal (*rājīnāmāko jamānbaṃdī muculkā*), stating [additionally] that I will not complain in any matter to the effect that I did not have a chance to submit any higher bid, and may [now herewith] submit it to -2- (i.e., Five-times Venerable Sarkāra) through Guṭhī Jāca Aḍḍā.

Tuesday, the 12th of the bright fortnight of Āśvina in the [Vikrama] year 1959. [May it be] auspicious.

Abbreviations

ĀpDhSū	Āpastambadharmasūtra
MA 1854	<i>Mulukī Ain</i> of 1854
MA 1888	<i>Mulukī Ain</i> of 1888
MDh	<i>Mānavadharmasāstra</i>
NGMPP	<i>Nepal–German Manuscript Preservation Project</i>
VS	Vikrama Saṃvat
YDh	<i>Yājñavalkyadharmasāstra</i>

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