

House of Representatives Proclamation

In respect of the sacrifices and participation made by the Nepalese people in the peaceful joint people's movement,

In due attention to the fact that the people had shown keen interest through the peaceful joint people's movement that took place some time back, on establishing that people are the sole source of state power of the independent and sovereign Nepal, as the people are the sole source of state powers and sovereignty,

With determination to fulfilling the peoples' mandate given by the Nepali people as per the roadmap of the seven political parties and the 12-point understanding between the seven political parties and the CPN-Maoist in the peaceful joint people's movement to restore a inclusive state by restructuring the state by formulating new constitution and to restore sustainable peace through democracy, and constituent assembly,

Internalizing the greater responsibility of the sovereign Nepali people for strengthening the country's national integrity, indivisibility and national unity,

As the fact that the House of Representatives (HoR) established on the support of the people's movement is sovereign and fully authorized has been realized in the king's declarations on April 24, 2006 that the Nepali people are the source of state power and Nepal's sovereignty and state power rests on the Nepali people and the people's aspirations exhibited in the present peoples' movement and on the basis of the road map of the seven political parties for resolving the violent conflict continuing in the country,

Makes the following declaration through this House of Representatives that this House of Representatives is sovereign for the exercise of all the rights until another constitutional arrangement is made to take the responsibility to gear ahead in the direction of full-fledged democracy and make an end to the autocratic monarchy by institutionalizing the achievements of the present peoples' movement, while safeguarding the achievements of the 1990 people's movement:-

1. LEGISLATIVE

1.1 All the rights regarding the legislative body of Nepal shall be exercised through the House of Representatives. The procedures for formulating laws shall be as specified by the House of Representatives.

1.2 The procedures for moving on the path of Constituent Assembly shall be as fixed by the House of Representatives.

1.3 Calling of the session of the House of Representatives and its conclusion shall be as follows:-

a The calling of the session shall be by the prime minister and will concluded by the speaker on the recommendation of the Prime Minister.

b. The speaker shall fix the date for the session or meeting to hold within 15 days if request is made before the speaker by one fourth of the total members at the moment in the House of Representatives citing that it is appropriate to call a session or a meeting when the House of Representative is not being held or if the meeting is stalled.

1.4 The House of Representatives shall formulate and implement the House of Representatives regulations.

2. ON EXECUTIVE

2.1 All the executive rights of Nepal as a state shall rest on the Council of Ministers.

'His Majesty's Government' shall be termed 'Government of Nepal' from now onwards.

2.2 Persons who are not the members of the House of Representatives can also be nominated in the Council of Ministers.

2.3 The Council of Ministers shall be responsible towards the House of Representatives. The Council of Ministers and the ministers collectively and for the works of their ministries shall be personally responsible towards the House of Representatives.

The administration, army, police and all the executive organs shall be under the purview of the government that is responsible towards the House of Representatives.

2.4 The allocation and transaction of business of the government shall be presented at the House of Representatives after its passage from the Council Of Ministers.

3. ON ARMY

3.1 The name "Royal Nepal Army" shall be changed to "Nepalese Army".

3.2. The Existing provision regarding the National Security Council has been repealed. There shall be a National Security Council under the chairmanship of the Prime Minister in order to control, use and mobilize the Nepalese Army.

3.3. Chief of the Army Staff of the Nepalese Army shall be appointed by the Council of Ministers.

3.4. The existing arrangement of Supreme Commander of the Army has been revoked.

3.5. The decision of the Council of Ministers on mobilizing the Nepalese Army, must be tabled and endorsed within 30 days from the special committee assigned by the House of Representatives.

3.6. The formation of the Nepalese Army shall be inclusive and national in nature.

4. ON RAJ PARISHAD

The existing provision of Raj Parishad has been revoked. Necessary works being performed by the Raj Parishad shall be as per the arrangement made by the House of Representatives.

5. ON ROYAL PALACE

5.1. The right to make laws, amend and nullify regarding the succession to throne shall rest on the House of Representatives.

5.2. Expenditure and facilities for His Majesty the King shall be as per the decision of the House of Representatives.

5.3. The private property and income of His Majesty the King shall be taxed as per the law.

5.4. Acts performed by His Majesty the King are questionable in the House of Representatives or in court.

5.5. Existing Royal Palace Service shall be made part of the civil service.

5.6. The security arrangement for the Royal Palace shall be as per the arrangement made by the Council of Ministers.

6. THE EXISTING PROBLEM REGARDING CITIZENSHIP SHALL BE INSTANTLY RESOLVED.

7. THE EXISTING "NATIONAL ANTHEM" SHALL BE CHANGED BY MAKING ALTERNATIVE ARRANGEMENT.

8. NEPAL SHALL BE A SECULAR STATE.

9. MISCELLANEOUS

(a) All the state organs and bodies shall exercise their rights as having been authorised by this House of Representatives and with full faith towards it.

(b) Specified officials holding public posts shall take oath of office from the House of Representatives in specified manner. Officials who ignore receiving oath of office shall be relieved of their posts.

(c) The inconsistent legal arrangements of the Constitution of the Kingdom of Nepal-1990 and other prevailing laws, with this declaration, shall be nullified to the extent of inconsistency.

(d) Any difficulty that may come while implementing this declaration shall be removed by a decision of the House of Representatives.

(e) A committee shall be there in the House Of Representatives for the purpose of implementation of sub-clause (c) and (d) above.

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