

Proclamation of the House of Representatives, 2006

Having paid high regard to the sacrifice, life offering and participation made by the Nepali people in the peaceful joint people's movements;

Bearing in mind that the Nepali people have expressed through the recent peaceful truth joint people's movement the eminent desire to establish the fact that source of sovereign power of the independent and sovereign Nepal is inherent in the people [expressed keen desire, through the peaceful joint people's movement some time back, to establish the truth] and people are the sole source of sovereignty and state powers;

Pledging to fulfill people's mandate given by the Nepali people through the peaceful joint people's movement to establish sustainable peace and inclusive statecraft along with democracy, and restructuring of state by framing a constitution through Constituent Assembly pursuant to the roadmap of the [Seven Political Parties](#) and the 12 points understanding between the seven political parties and the CPN (Maoist).

Having realized that the sovereign Nepali people have the greater responsibility for strengthening the country's national integrity, indivisibility and national unity;

Having realized that the Proclamation of the King on April 24, 2006, affirmed that the House of Representatives, which is reinstated by the force of the peoples' movement, has the sovereign power;" for the resolution of all the problems including the ongoing armed conflict in accordance with people' will expressed through the recent peoples' movement and the roadmap of seven party alliance, realizing that the people are the source of the state powers and the sovereignty and state power of Nepal is vested upon the people"

This House of Representatives hereby proclaims that it has sovereign powers for the exercise of all powers until the formulation of other constitutional arrangement, in order take responsibility to move ahead in the direction of full-fledged democracy and to abolish the autocratic monarchy having institutionalized the achievements of the present people's movement, while safeguarding the achievements of the 1990 people's movements 1990, and as the sovereign authority is exercised through this House of Representatives, further proclaims the following declaration :

1. Concerning Legislative

- 1.1 All the Powers regarding legislature of Nepal shall be exercised by the House of Representatives. The procedures for law making laws shall be as specified by the House of Representatives.
- 1.2 The House of Representatives shall, as per necessity, specify the procedures for moving to the path of Constituent Assembly.
- 1.3 Summoning of the session of the House of Representative's and its prorogation shall be as follows:-
 - (a) The session shall be summoned by the Prime Minister and be prorogued by the speaker on the recommendation of the Prime Minister.
 - (b) If, during the prorogation or recess of the House of Representatives, one fourth of its members existing for the time being, make a submission to the speaker that it is expedient to convene a session or meeting of the House of Representatives, the

Speaker shall fix the date and time for such session or meeting with fifteen days.

- 1.4 The House of Representatives shall frame and enforce the Regulation of the House of Representatives.

2. Concerning Executive

- 2.1 All the executive powers of Nepal shall be vested on the Council of Ministers. "His Majesty's Government" shall be referred as "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 shall collectively, and for the works of their ministries, individually be responsible towards the House of Representatives for the works of their respective Ministries. All the executive organs including the administration, army, and police shall be under the government that is responsible towards the House of Representatives.
- 2.4 The regulations of the allocation of business and transaction of business of the Government shall be adopted by the Council Of Ministers, and presented to the House of Representatives.

3. Concerning Army

- 3.1 The title "Royal Nepal Army" shall be changed to "Nepal Army".

- 3.2. The Existing provision regarding the National Security Council is hereby repealed. There shall be a National Security Council under the chairpersonship 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 is hereby repealed.
- 3.5. The decision of the Council of Ministers on mobilizing the Nepalese Army shall be tabled to and endorsed by the special committee assigned by the House of Representatives within 30 days.
- 3.6. The organization of the Nepalese Army shall be inclusive and national in nature.

4. Concerning Rajparishad

The existing provision of Rajparishad has been repealed. Necessary business being performed by the Rajparishad shall be as provided by the House of Representatives.

5. Concerning Royal Palace

- 5.1. The power to make, amend and repeal laws regarding the succession to the throne shall be vested on the House of Representatives.
- 5.2. The expenditure and facilities of His Majesty shall be as decided by the House of Representatives.

- 5.3. The private property and income of His Majesty the King shall be taxable pursuant the law.
- 5.4. A question over the acts performed by His Majesty may be raised in the House of Representatives and in court.
- 5.5. Existing Royal Palace Service shall be made a part of the civil service.
- 5.6. The security arrangement for the Royal Palace shall be as made by the Council of Ministers.
- 6. The existing problem regarding citizenship in the country shall be promptly 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 powers as having been conferred by being Loyal to House of Representatives and,
 - (b) Specified officials holding public office shall take oath of office from the House of Representatives in the specified manner.
Officials who refuse to take such oath of office shall be relieved of their posts.

- (c) The legal arrangements of the Constitution of the Kingdom of Nepal-1990 and other prevailing laws, with this declaration, shall be void to the extent of inconsistency.
- (d) Any difficulty that may arise while implementing this declaration shall be removed by a decision of the House of Representatives.
- (e) There shall be a committee in the House of Representatives for the purpose of sub-clause (c) and (d) above.