

THE KHASIS

UNDER BRITISH RULE

(1824-1947)



Helen Giri

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PREFACE

The *Khasis Under British Rule (1824–1947)* was first published in 1990 by Akashi Book Depot, Shillong. The multiple printing errors of the book, for reasons beyond control have caused inconvenience to many readers. I deeply regret. In response to the vital responsibility I owe to research scholars and friends, the same book with modifications, additions, etc., is here again, I hope in proper shape. The book does not claim perfection. For all the shortcomings and mistakes which might have crept in, I crave the indulgence of my dear readers.

I acknowledge my indebtedness to all the authors whose works I have consulted. I take this opportunity to thank Dr. C.J. Thomas, Deputy Director, ICSSR North Eastern Regional Centre, Shillong for being so kind and helpful to see that the book is published. I am particularly grateful to Ms. Cerilla Khonglah for all the assistance rendered, without a murmur, in supervising the typing of the manuscript by Jean Mebari Blah, both from ICSSR North Eastern Regional Centre, Shillong. I sincerely thank Regency Publications, Delhi for the care and interest taken in the publication of the book.

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CHAPTER I

A PROFILE OF THE KHASI AND JAINTIA HILLS

Khasi and Jaintia Hills form part of Meghalaya, one of the seven sister states of North Eastern India. Meghalaya came into existence first as an autonomous state within the state of Assam on April 2, 1970 and then attained the full statehood on January 21, 1972. It was initially formed with two hills districts, Khasi and Jaintia Hills and the Garo Hills. West Meghalaya comprises of East Garo Hills, West Garo Hills and South Garo Hills. East Meghalaya comprises of namely, East Khasi Hills with Shillong as its headquarter, Jaintia Hills with Jowai as its headquarter, West Khasi Hills and Ri Bhoi with Nongstoin and Nongpoh as their respective headquarters. (1) Table shows the area and population: (2) Khasi and Jaintia Hills is a plateau of rolling grassland, meandering rivers, green rolling hills gently sloping towards the plains. There are valleys with deep gorges and precipitous ravines. It has a unique and fascinating beauty, typical and natural in its own way. These hills are famous for the attractive natural waterfalls — Dainthlen, Nohkalikai, Nohsngithiang, Spread Eagle's, the Elephant's and a host of others. Almost all the water falls, besides being a source of joy and beauty, have folk tales or sad tales of human life behind them. Rivers like the Myntdu, the Umiam, the Umngot, the Umkhen and others, hills and mountains like U Kyllang, U Shyllong, U Symper, U Diengiei and others supply an abundant source of folk lore behind which the history of the people revolves.

Area and population of community development blocks, 1991

District/Blocks	Area (Sq.Km.)	Population	Villages			House- holds
			Inhabit- ed	Un- in- habited	Total	
<i>Jaintia Hills</i>	3819	220473	450	9	459	37986
1. Thadlaskein	753	78394	124	1	125	13821
2. Amlarem	398	29967	79	1	80	5179
3. Laskein	553	46884	82	3	85	7846
4. Khliehriat	2115	65228	165	4	169	11140
<i>East Khasi Hills</i>	5196	662710(P)	1389	46	1435	125041
1. Nongpoh	1216	50561	240	14	254	9717
2. Bhoi area	1232	76751	291	5	296	14503
3. Mawryngkneng	293	35914	61	1	62	6326
4. Myllem	204	29373	97	-	97	55851
5. Mawphlang	290	46685	156	2	158	7837
6. Pynursla	505	47171	145	7	152	9404
7. Mawsynram	523	35686(P)	151	8	159	7129
8. Shella Bholaganj	578	45799	183	7	190	9164
9. Mawkynew	355	30170	65	2	67	5110
<i>West Khasi Hills</i>	5247	222665(P)	798	20	818	38101
1. Mairang	1106	63095	115	—	115	10755
2. Mawkyrwat	1191	32679(P)	196	4	200	9792
3. Nongstoin	1336	55297(P)	233	9	242	10485
4. Mawshynrut	1614	40248	254	7	261	7069
5. Ranikor	874 *	31346	N.A.	N.A.	N.A.	N.A.

P = Provisional

N.A. = Information not available

* = The area of Ranikor Devp. Block bifurcated from the Blocks are not available.

Coming down from the plains, one feels delighted and refreshed to pass through the sweet scented breeze of the whispering pines. Shillong the "Scotland of the East" has among its attraction a full sized polo ground and a race course, a charming cricket field, excellent Golf links, splendid rides, long beautiful driving roads and fine breezy downs for a morning gallop, all of which go to make Shillong, perhaps, the most desirable headquarters of all the Local Governments. As a tourist spot, Thadlaskein lake has its history behind to tell of the Khasi race. The caves and hot springs full of wonder, the thrilling wild life, the crystal streams and springs, all add to the inexhaustible stock of natural beauty. It abounds in magnificent

cascading water falls, fringed with a wide variety of beautiful ferns, moss and orchids, rhododendrons and a large number of monoliths, table stones and cromlechs.

The climate is neither too hot or too cold with a plentiful supply of rainfall in summer which helps the growth of gorgeous and luxuriant vegetation. It is famous for receiving the highest rainfall in the world. The Statistical Handbook (1987) shows the rainfall in selected centres as follows:

Rainfall in selected centres in mtrs

Centre	1982	1983	1984	1985
<i>Jaintia Hills Jowai</i>	3305	3312	1619	
<i>East Khasi Hills</i>				
Upper Shillong	2215	2455	2316	
Cherra Punji	10,468	9773	16,760	11816
Mawsynram	9246	16539	25,613	14220
<i>West Khasi Hills</i>				
Nongstoin	4136	4200		

It is rich in mineral products. Coal, limestone and sillimanite are the three principal minerals in these hills. In Jaintia Hills, the main coal deposits can be found at Bapung, Raliang, Lakadong, Sutnga and others. In Khasi Hills, the main coal deposits can be found at Sohra. Laitryngew, Pynursla in Khasi Hills, Lakadong, Nongkhlieh, Sutnga, Nongtalang and Syndai in Jaintia Hills, sillimanite is found at Mawthengkut near Sonapahar. Kaolin, conducive for the supply of China clay is found at Thadlaskein, Sung area in the Jaintia Hills and Laitlyngkot and Mawphlang in the Khasi Hills. The sillimanite deposits of Mawshynrut (Sonapahar) area of the West Khasi Hills district are well known. It is said that the deposits are "largest" single occurrence of the mineral in the world. The quantity of 17 known deposits of this mineral is estimated at one lakh tonnes. Feldspar and quartz are found at Hakim with a deposit of 25,000 and 20,000 tonnes respectively. The perennial supply of water in these hills helps in the production of hydel power. Besides in recent years, there has been great development in animal husbandry, dairying and veterinary services, fisheries, sericulture, industries of various types, private firms run by educated youths are coming up. Land utilisation, crop

production and social forestry are making head way. There is success in unexplored areas of agriculture like tea cultivation with an experimental centre at Umsning and other areas, mushroom cultivation and others, keeping in view the climatic condition of these hills.

Agriculture is however, the main occupation of the people. The principal agricultural products are rice, maize, potatoes, oranges, pineapples, betelnut, pan leaves, tomatoes and others. Lack of preservation of the perishable products, lack of marketing and transport facilities, lack of modern scientific equipments, the complexities of the land tenure system, all these are a hindrance to the growth of trade and commerce of these agricultural products. Though the hills are not so industrially developed, yet we can find new industrial units being set up. The cement factory at Sohra known as the Mawmluh Cherra Cement Ltd., producing 250 tonnes of cement per day, is in the process of expansion to a production capacity of 930 tonnes per day. Small industrial establishments like saw mills, food processing units, bone mills, cotton ginning, bakeries, etc., are also found in these hills. Iron smelting is famous in some parts of Khasi Hills. Myllem still earns the name in the production of iron hoes, knives, and other iron articles. Pottery making is famous at Larnai, Jaintia Hills, while house spun traditional cloths are attributed to the gifted women in these hills. Rehabilitation of the economy of the border areas has also been taken up.

Mention may be made of some of the notable missions established in the Khasi and Jaintia Hills — the Presbyterian Mission, the Roman Catholic Mission, the Ramakrishna Mission, the Church of God Mission, the Christ Church Mission and many others. These missions not only propagated religious teachings but established health centres and hospitals. They imparted education, established schools and colleges. In this context, the year 1841 is memorable for the advent of the Welsh Calvinistic Mission into these hills. This Mission reduced the English language to writing and after fitting the English alphabets to it, opened the first school for the education of the Khasis. Their efforts both in evangelisation and in education were crowned with extraordinary success. In the words of J.B. Fuller,

“The humanising effect of Christianity is evident on all sides. The houses of Christians can be picked out in a village, without a moment’s hesitation in neatness of construction and cleanliness, they stand apart from the others and little flower gardens and rose covered patches indicate a living appreciation of the beautiful. Inside the house, the rooms are frequently neatly paralalled. The people have undoubtedly a natural turn for the artistic, and the children easily learn to draw and colour. But the development of this talent is entirely due to christian influence.”

In short, Christianity has developed a spirit of active charity.

Tradition tells that in the “Great Flood” when man had to swim across the overflowing water he “swallowed the book.” The origin of the Khasis is thus lost in obscurity. However, as Gait said, the Khasis are held to be “a remnant of the first Mongolian overflow” from the traditional cradle of the Indo-Chinese race “who established themselves in their present habitat at a very remote period”. Owing primarily to their geographical isolation they succeeded in maintaining their independence until the consolidation of the British rule in these hills. Their language is remarkable as being the only surviving dialect of the Monkhmer family of languages.

To quote some of the scholars, mention may be made of Hooker, who wrote that the Khasis have a similarity with the Indo-Chinese.³ Hunter observes that the physical characteristics of these people indicate that they undoubtedly belong to the Mongolian family.⁴ Dr. Suniti Kumar Chatterjee, a notable linguist opines that they appear to have descended from “the earliest Mongoloid immigrants into India, who changed their language through contact with Austric speakers, either in Burma or on the soil of India, in pre historic times.”⁵ A Payre and Gerini observe,

“A double stream of immigrants from India flowed into Indo-China, at a very early period, one proceeding from the North, advanced over land through Bengal and Assam along the valleys of the Chingwin, Irrawaddy, Salween and Mekong . . . and established the famous kingdoms in lower

Burma, Malay-Peninsula . . . (The Indian colonies in the Far East, Vol. I, Edited by R. Majumdar).⁶

In this connection, reference may be made to U Bin Iangphar, where report confirms the findings of most of the scholars. According to the report received by Dohori Ropmay, E.A.C. Sohra, U Bin Iangphar was a native of Sohiong village. His father was from Sylhet. He went as a coolie under Colonel Woodthorpe to China (Indo China?) probably in the 1870s and returned home after a lapse of thirty years or so. According to the report, it was said that there were Khasis in a certain place in China (Indo China?) They spoke Sohiong dialect and strictly observed Khasi customs and traditions. They had powerful Syiems who had their own soldiers. U Bin Iangphar had four children, Ka Donrimai, Ka Dori, U Bilot and U Alot.⁷

Generally speaking, "Khasi" is a generic name given to the people of the Khasi and Jaintia Hills. Having the same customs and traditions, speaking the same language and following a common religious belief, the Khasis of the Eastern Plateau are known as Pnars or Synteng, those of the Northern slopes are known as Bhois, those of the southern slopes are known as Wars and those in the West by North areas as Lyngngams. The Khasis of the Western Plateau are known as Khyrnriams to the Pnars and as Nongphlang to the Wars. There are other groups like the Labangs, the Khyrwangs, the Nongtungs and others but all these are known by the generic name "Khasi." It may be a tragedy that there have been forces to divide the whole Khasi race.

Khasi mythology tells that the Khasi race descended from "Ki Hynniew Trep, Ki Hynniew Skum" the Seven Huts or the Seven Nests. Almost every Khasi believes that they came from Heaven, that their rites and ceremonies were delivered by God Himself to "Ki Hynniew Trep." To quote David Roy,

"The Seven Nests or Roots were seven pairs of virgin women and men created by God to marry and they formed seven houses (families) and from them the country was filled up and rites and ceremonies were obtained."⁸

The Seven Huts on earth and the Nine Huts in Heaven were connected by a golden ladder called "U Sohpet Bneng." When ka pap ka sang (sin) crept and covered the earth, the golden bridge or ladder was broken, the sun refused to shine, she hid herself (among the Khasis the sun is referred to in the feminine gender) in a cave called "Ka Krem Lamet ka Krem Latang." Man and beasts were in the horns of a dilemma. A large durbar was convened calling forth who would be ready to pay the price, who would go to call back the sun from ka Krem Lamet ka Krem Latang. The strong and the swift who volunteered and made the attempt failed to bring back the sun because of their vanity. They ate and drank and bragged at the Sun's cavern, when they were feasted by her. They forgot their mission in their drunkenness. When man and beasts were totally in dark despair they found that there was one bird which never attended the durbar. That was a little featherless cock. When they asked why it did not come to attend the durbar, it said that it was too insignificant, having neither a fit dress to appear before the sun nor the persuasive tongue to convince her to return. But they forced the little cock to go as every attempt must be made to bring back the sun. The cock had to go perforce. It reached the sun. The sun offered it food and drink. It refused to take. The sun offered it a place to stay. It refused to stay. It was asked why. It replied that it had come to request the sun to come back and until it condescended to do so, it had no right to take food or shelter. The sun asked how it would come back. The cock said it would crow three times as a call for it to come out of its cave. Khasi religion was born with the cock as the mediator between God and man.⁹

In short, the Khasis believe to have a divine origin, they believe in one invisible God, who is kind, loving and forgiving, who is omnipotent, omnipresent and omniscient. They believe in the fundamental doctrine, "Ka Niam tip briew tip Blei" (A religion which knows man knows God). They also believe that they come to this world "ban kamai ia ka Hok" (to earn righteousness). R.T. Rymbai observes,

"A Khasi is a deeply religious person, who nevertheless has an intense love of life. This may sound paradoxical as we have been wont to associate the religious with the

ascetic . . . a Khasi believes that life is God's greatest gift to man here below, and man has to account for it again to the Giver here-after. Therefore, man's supreme duty is to preserve this life on earth as good and beautiful as he can. But he finds that difficult, he sickens and dies, soon too soon. For bare existence he has to earn his livelihood by the unrelenting sweat of his brow. Nature which smiles on him through verdant hills and fruitful valleys, also frowns on him with her darkling forests and shady pools. Evil spirit which haunts these dark places come out too often to plague his life. These same spirits twist and torture his mind with sordid ambition and soul killing jealousy. He believes that the evil around him is much too strong for him to resist alone. So, he turns to his nearest kith and kin (Ki kur, ki kha, ki man) to form a united front against his enemies, seen and unseen, and above all to his God for his omnipotent help. . . . A Khasi believes in a God who is good and kind and who would not fail him. He also believes that gratitude is the highest form of virtue and God desires him to live his life fully. . . ."¹⁰.

It is unfortunate that many research scholars have described the Khasi society as a "matriarchial" society where the woman is all powerful. Khasi society is a matrilineal society which is casteless and classless and yet, gives the woman a rightful place with honour and dignity in the home, in the clan and in the society. The line of descent is traced through the 'Mother' and not from the 'Woman'. It is a society not with an all powerful woman or women to dominate the mental and material life of the society. A Khasi always says,

"From the woman springs the kind, from the father comes the stature."

It is very wrong to say that a Khasi man has no place or position in this matrilineal set up. In fact, for all intents and purposes, he plays a dual role as 'Father' to his children and 'Uncle' to his maternal nieces and nephews. He stands between two worlds, as the connecting link to bring in the thread of relationship between the clan of his wife and children and that of his own. To quote David Roy.

“It is true that the ‘Kni’ or mother’s eldest brother is the head of the house, but the father is the executive head of the new home, where after children have been born to him, his wife and children live with him. It is he who faces the dangers of the jungles and risks his life for his wife and children. In his wife’s clan, he occupies a very high place, he is second to the none but, ‘U Kni’ while in his own family circle as father and husband is nearer to his children and his wife than U Kni.”

Among the festivals of the Khasis, let us take two examples to show the role of the woman and that of the man in the society. The ‘Laho Dance’ of the Pnars shows the female dancer being flanked by two male dancers. This dance depicts the role of the ‘Father’ and the ‘Uncle’ and that the woman is always under the protection of the man Ka Shad Suk Mynsiem or Thanks Giving Dance explains the roots of the whole being of a Khasi. The sword he holds in his right hand symbolises defence for his self, his home, his kith and kin and his motherland. The Symphiah (fly flap) in his left hand symbolises the soft and warm advice and counsel to his sisters and brothers, nieces and nephews. The young maiden, with downcast eyes, tells of the modesty, obedience and submission of the woman, the ‘crown’ on her head bears the dignity and respect that is given to the woman, the lasubon (flower of fine yellow texture attached to the crown) stands for purity and beauty, the slow movement of her feet to the accompaniment of drums, cymbals and flute synchronises the fact that she must follow the man for love, shelter, protection and respect. The gold and silver displayed in the dancing arena is the symbol of hard work. With young and old men surrounding the maidens, it shows the sacred duty of the man to lay down his wife in guarding the honour, the purity and the chastity of the woman.

There have been changes, varied in nature no doubt, and they have, at times, changed the traditional colour or on the other hand, added more colour and spice. Yet, a Khasi man is still *u rang khatar bor* (a man with twelve powers) and the woman ‘Ka thei shibor’ (woman with one power). In short, man is the defender of the woman and the woman is the keeper of his trust, there is mutual respect for each other.

A remarkable feature of the people is their love for music, which may be said to be inherent in their blood. From a lullaby to a love tune, from a marching tune to a harvest tune, music permeates every strata in the society. In festivals or religion, music is the 'core' to a Khasi. Whether in the fields or round the fireplace, in joy or sorrow, a Khasi sings. When he is happy, he sings, laughs and dances, when he is sad, he sings mournful songs. J.N. Choudhury in the Khasi Canvas writes:

“Among all the hill people of India’s North East Region and perhaps elsewhere, the Khasis are undoubtedly the most musical race. The sensibility to musical sounds is so great that they can readily pick up any tune and melody whether indigenous or foreign. They can handle any musical instrument however, complicated, with little training and practice.”

Last but not the least, perhaps it may be important to examine the impact of geography on the history of these hills. Through the ravages of history, the Khasis have been able to preserve their history and the democratic ideals are uncontaminated and unadulterated because of the compactness of the physical environment. The steep hills, the valleys and ravines, the caves and dense forests, all these have contributed in creating the defence mechanism for their land. With their bows and arrows and their crude war implements, the Khasis adopted guerilla tactics in times of external aggression. The bracing climate of the hills made the people strong, brave and sturdy to adopt such natural defence techniques and enabled them to maintain their independence amidst the multifarious odds. The Earl of Willingdon on his visit to Shillong said:

“It is a proof of the stamina and virility and competence of your people, that, when greater empires in the east and west have throughout the ages come and gone, you still maintain in your pleasant hills, the freedom of your small republics based on your ancient ways and tenets of your race.”

Sir J.B. Fuller made a similar remark when he said:

“Not without courageous fighting and there is much to the credit of your nation in the record of the long struggle

which however, lamentably commenced, exhibited the bravery and endurance of Tirot Sing of Nongkhlaw. So also in the incidents of the protracted military operations which took place in Jaintia Hills.....”

The serenity of free nature amidst the hills breaths an air of freedom, love for democracy and local autonomy which remain a living symbol till today. Rev. G. Angell Jones, a Welsh Missionary, sings of Khasi patriotism arising from a deep love for the Khasi land, which is an inheritance from the days of yore, in a prayer song,

“Trai nang trei be ngin sei,
Ia ka sap tip briew tip Blei.”

Free Translation:

“Lord, help us work, produce we shall,
The talent to know man and know God.”

These are the people with whom the British came into contact who in spite of their eventual failure offered a stiff resistance to the foreign invader to defend their freedom. It is no wonder therefore that when the British colonised India, the Khasis were the last to submit to British Imperialism.

Khasi Polity

The Khasis have no written history but it is engraved in their veins. They can read their history from their customs and traditions, their folklore and festivals, their culture and religion, their manners and ways of life. They have undoubtedly been able to preserve and maintain their democratic way of life. Democracy, to the Khasis, is the ideal shaped, moulded and brought into stature by the ancestors in the dim mists of antiquity. Colonel Herbert remarks:

“The Khasis are a singularly progressive and intelligent race with democratic tendencies.”¹¹

With this democratic instinct, the Khasis may be few but sturdy, they may be hard-pressed by time but adventurous, they are ready to sacrifice their lives at the altar of preservation. On his visit to Shillong in 1952, the late Prime Min-

ister, Jawaharlal Nehru remarked of the Khasis as those who,

“by their stamina, virility and competence still maintain their freedom based on ancient ways and tenants of the race. They are an extremely disciplined people, often more democratic than most of India. Without a (written) constitution they function democratically and carry out the decisions made by their elders and representatives without exception.”

The evolution of the traditional, social, cultural, ethical, political and economic ideals of the Khasis is interwoven round the origin of the Khasi race. Based on the belief that the Hynniew Trep Hynniew Skum were the progenitors of the Khasi race, the Khasis look upon the “trep” as a “Kur.” There was inter-marriage among the different Kurs and as result, those Kurs or Clans were multiplied in course of time. A Kur traced its descent to “*Ka Iawbei Tynrai*” or *Root Ancestress*. With the multiplication of Kurs and growth of population, the members of some Kurs migrated in search of new lands for agriculture, better means of livelihood and other facilities. This led to the formation of “Ka Jaid”. The Jaid claim to have descended from the common but younger ancestress in the Kur, called *Ka Iawbei Tymmen* or *Old Ancestress*. A Kur is thus divided into “*Ka Kpoh*” which claims descent from ‘*Ka Iawbei Khyntaw*’ or *Young Ancestress*.¹² Each kpoh is subdivided into Iings (Houses or Families). Through migration, the jaid may be known by a new name but belongs to the same ancestry and the same Kur. A jaid can also be integrated in the same Kur with another jaid through acts of kindness, done by one jaid to the other. The following list gives an idea of the different jaid belonging to the same kur.¹³

“Khonglah and Khongwir/Nongrum, Rymbai, Rumnong, Nengnong and Nongneng/Basaiawmoit, Majaw and Hynniewta/Sun and Lamare/Paswet, Lytan, Lanong, Lakiang, Liwait, Gatphoh, Kynjing, Pakyntein, Nikhla, Niangphoh, Rangat, Syngkon, Kma, Lipon, Pyrdiang, Mytyen and Syngbud/Tariang (War) and Tariang (Khyntaw)/Swet (Pnar) and Swet (Khyntaw)/Blah (Pnar) and Blah (Khyntaw).

Marriage is strictly exogamous, that is, outside the Kur. Among the Khasis there is no sin which is as great as marrying within one's own clan. It is not only an act of sacrilege but an unpardonable sin. Such a person is denied the solace of religion. No rite or ceremony can be performed for them, and when they die their bones have no place in the cairns of the Kur.¹⁴ Khasi Christians or Khasis who profess their own religion still observe the Khasi customary laws of consanguinity and this is the secret of the continuance of the Khasis as a race.¹⁵ It is *Ka Sang Ka Ma* (unpardonable sin) to marry one's sister-in-law or mother-in-law which is called *Ka Shong Sang Synri*. It is a sin to marry the children of one's father's brother (*Ka Sang Sohpet Kha*) or father's sister or their grand children (*Ka Sang Syngken Kha*).¹⁶

A Khasi can marry his cousin (*bakha*) that is, daughter of his uncle but he cannot, however, marry the daughter of his paternal aunt (*Niakha*) as it tantamounts to a taboo called *Ai Khaw Kylliang*, which is an insult to the father, because it means a return of bread and luck and the person of his father to his own clan.¹⁷

To the Khasis, marriage is not only a 'contract' but it is a sacred bond between a man and a woman. It is believed to be ordained by God (*ba la phah hi da u Blei*). With the advent of Christianity, a common saying emerges, "*ba la ia thoh ka shyieng krung*" (when the ribs are matched). The latter concept indicates that it is a development of Khasi thought with the impact of Christianity.

Marriage is divine. It is a bond which connects two 'Kurs' that of the man and that of the woman, to build or start a new home. Thus before marriage, there is '*Ka Khein Kynsai*' (elaborate examination or minute weighing). After marriage, the man goes to the woman's house and becomes "*U Khun ki briew*" (the son of other people). He goes to his new home to increase the clan of his wife. Though the line of descent is taken from the mother, and she is expected to train and mould her children in accordance with Khasi norms and ways of life, yet the father is the pivot round which the whole family revolves. He is the connecting link between his mother's clan and his wife's clan. The children look to their father's mother as *Mei-Kha* (born of a mother) and his sisters and brothers as

Niakha Pakha (Paternal aunts and uncles) and his children are Khunkha (children born from paternal aunts and uncles) to his mother's clan. The Meikha is held in high esteem in Khasi Society.¹⁸

As stated earlier, tradition tells that the Khasis, whether Khyntiam or Pnar, Bhoi or War, Lyngngam or Nongtung etc., belong to one race. If we examine the language, social life, religious belief, customs and traditions they all prove that they belong to one race. Tradition also tells that the Khasis migrated from east to west. David Roy explains and goes back to oral tradition, which is still prevalent till today,¹⁹ Sajar Niangli, a leader of many clans and families in Sutnga in the east migrated slowly to the west. We still find relics of the westward migration of Sajar Niangli and his people. The Syiemlieh from Khadsawphra believe that they belong to the same Kur with the Syiem Sutnga. The Khatar Lyngdoh Ri Nongpoh and the Jirang Ri Mynnar are similar in language and ways of thinking with the Pnars. We also find in Pomshala, there is a reference to U Krang, U Sahei, U Khrang and U Ben, the leaders of the people of Mustoh and Shella. They migrated and fled from Pomshala, a place on the west of Mawpat hill near Shillong, thereafter they moved downwards to Shella. The dress of the woman of the Shella villages is similar to that of the Pnar women. R.T. Rymbai observes that Sajar Niangli started from Jaintiapur through Nartiang. He reached Thadlaskein where Sajar said he would dig a lake for the people to remember. Every follower of Sajar was asked to dig with the tip of their bow and the Thadlaskein lake is as it is today. Sajar then went to Mikir hills, Nagaland and Manipur towards Burma. From Burma he turned towards Assam to Jirang because it is said, Sajar never wanted to be so far away from his dear land. He went to Nongkhlaw then ruled by the Syiem from the womb of Ka Li Dohkha. It is here he spent the rest of his life.

There are other strong reasons to believe that the Khasis first settled in the east and that with the increase of population and the search for more lands for cultivation and other purposes, the migration took place from east to west. David Roy further explains the five poonjees, Jymmang, Lakadiang,

Tynriang, Umniuh-Tmar and Nongjri are part of the Pnars in feeling, emotion, way of thinking and polity.²⁰

Secondly, if we observe the orange groves, they lead from Sutnga to Mawkaiew, Mawpdang, Mawroh and Mawtawar. From Sutnga in the east the orange groves among the War Synteng and War Khasi lead onto the land of Shella, this shows the migration from east to west.²¹

Thirdly, if we judge at the boundary, demarcation of land, separating the land of one Kur from that of another, we will find that this demarcation leads from the east to the west.²²

Fourthly, most of the clans and kurs of Khasi Hills claim that they belong to the same origin, that is they migrated from Pnar area. The list will give us an idea:

Diengdoh Blah, Diengdoh Kylla, Diengdoh Shgain Lang, Pariong (Khyriam) belong to the same kur with the Laloo (Pnar);

Shabong, Mukhim and Khyriem (Khyriam) belong to the same kur with the Shallam (Pnar);

Thangkhiew (Khyriam) belongs to the same kur with the Slong (Pnar);

Shylla, Pariat and Pde (Pnar), Lyngdoh Nongbri, Lyngdoh Nongkynrih (Khyriam) belong to the same kur with the Shadap and Passah (Pnar).²³

Fifthly, Nongkhlaw and Nongspung claim descent from the Sutnga ruling family. Mawsynram and Sohra claim descent from the Malngiang ruling family, the original state which extended from Umkhen river to Myntdu river.²⁴

Lastly, it is the War Amwi and Lakadong dialect and not Sohra dialect which has a close affinity with the Monkhmer form of speech, which changes gradually to Jowai, War Mawshai (Nongkrem dialect), Swer and finally Sohra dialect. The single sentence below will explain that the Khasi language had its origin in War Amwi which gradually changed as people migrated and moved westward.²⁵

U. Amwi. Ah U mi U. Juprew, u eoh arbai (arbei) i hun tyrmai.

U. Jirang. Ah de-i-mi u karo u ah irbei ki hun hun tyrmei.

U Jowai. Em u wi u bru uwa em arngut ki khon shynrang.

U Nongjri. La em uwei met u brew uba la em arngut ki phan shynrang.

U Nongkrem. La don uwei u briew uba la don arngut ki khon shynrang.

U Sohra. La don uwei u briew uba la don arngut ki khun shynrang.

Khasi tradition suggests that "The state was founded on religion" and religion starts within Ka Kur. U Cromlyn Lyngdoh, a former Judge of the United Khasi and Jaintia Hills District Council, wrote in 1938:

"A Khasi is a khasi because of his religion. . . . It is the religion in the sense of his 'Niam' which regulates all his thoughts and activities. Forget his religion and you will never understand a Khasi . . ."

The Kur is the nucleus round which all institutions — social, cultural and political, revolve.²⁶ The Khasis have no pagodas, mosques, temples or organised church.²⁷ The religious rites and ceremonies are performed by the kur and the Khasis have nothing that can be called a special form of worship because they believe in a Creator of the world, all good and powerful and so good and kind that he needs no proper time in the way of worship or offering. In a word, a Khasi offers thanks and gratitude to his God in his heart.

When each kur settled down in a certain place the members formed a village. The eldest male members along with other members of the kur exercised influence in social and economic matters. The village society could assimilate the members of other kurs as well who might settle down in the village. The male members of the kur sometimes brought their wives from other kurs to stay in the village, thus increasing the number of kurs in the village. Further, in times of war and trade, the Khasi men married women from the plains, carried off in the raid made by the Khasis in Assam and Sylhet.²⁸ In this way, many kurs came to stay in a village that initially began with only one Kur. The first or founding kur would elect a wise, eldest male member to be the ruler of the village. Such a man assumed the office of the Basan.²⁹ The remaining kurs in the village also elected their own representatives called Ki Tymmen ki San but in a village founded

jointly, the minor kurs would elect tymmen shnong or Headman. There would be one or more headmen in the same village, but all the elected heads whether ki Tymmen ki San or Tymmen Shnong would form a village Council with the Basan.³⁰ The Basan is also called the Basan Raid or Basan Shnong.³¹ It may be mentioned here however, that the 'Basan' emerged from the Raid but the 'Bakhraw' emerged from the kur. The name of the whole Raid would sometimes be called after the name of the village of the founding kur. As a single instance, the Raid Nongkseh in Myllem Syiemship has been coined after Nongkseh village. It includes Thangkhiew, Rumnong and Lyngdoh Nongkseh clans. The representative from Raid Nongkseh in the Dorbar Hima is the Basan Nongkseh from Thangkhiew clan.³²

It may be quite difficult to understand the word "Lyngdoh" in the real sense of the term. On a broader analysis, it may be said that Lyngdoh denotes those who are in charge of Ka Niam (Religion). Such a Lyngdoh, who comes from the Lyngdoh clan is appointed for the purpose and he is called "U Sohblei." On the other hand, there is another Lyngdoh in charge of administration of the Raid as well as the religious affairs of the state. He is the Lyngdoh Synshar or Lyngdoh Raid like the Lyngdoh Mawphlang, Lyngdoh Sohiong, and others. The Lyngskor may be regarded as the Syiem's Deputy for the purpose of governing a collection or number of villages, he is appointed by the Syiem with the approval of the adult males of the villages over which he is appointed. In Jaintia Hills, there are the Dolois. In the words of J.B. Shadwell,

"A dolois is an officer who acknowledged allegiance to the Jynteah Raja until the whole tract of country was annexed by the British Government."

With the growth of Kurs, villages, Basan and Lyngdohs, in course of time, the Khasi states were formed as a result of a mutual agreement among the leaders or Basans or Lyngdohs of the Raids. Perhaps this contract was considered a necessity by the rulers of the different Raids that they should arrive at an agreement to unite for better understanding, better administration and security from undesirable and ex-

ternal forces. The Shyllong state emerged as a result of an agreement between the Saw kher and Lai Lyngdoh (four Basan clans and three Lyngdoh clans) that is, the four Raids, each having its own Basan and three Raids, each having its own Lyngdoh. To clarify this further Dr. Lyngdoh states that the Raid Sawkher includes Nongkseh, Nongumlong, Swer and Synrem or Mawlieh Mawshai, it also includes the San Shnong (five villages) of Marbisu, Sadew, Markhan, Mawshanlang, Nongbsap each having its own Tymmen Shnong or Headman. The representatives to the Dorbar Hima from these Raids are Basan Nongkseh from Thangkhiew clan, Basan Synrem, the Myntri of Marbisu from Sun clan, the Myntri of Sadew from Pathaw clan, the Myntri of Markhan from Rapsang clan, the Myntri of Mawshanlang from Majaw clan and the Lyngdoh of Nongbsap from the Nongbsap clan. The men of five villages (San Shnong) were warriors of great courage among the Sawkher and they come to be known as Khyndai Bah Ryntieh (The Nine Bow Wielders). The Lai Lyngdoh Raids are Myllem, Nongbri and Pongrup or Nongbet and they include the San Kur (Five Kurs) that is, the Myllem Ngap, Sohtun, Kurkalang, Nongkhlaw and Rynjah or Kharkongor. Representatives to the Dorbar Hima from these Raids are the Lyngdoh of Myllem from Lyngdoh Myllem clan, the Lyngdoh of Nongbet from the Pongrup clan, the Lyngskor from Myllem Ngap clan, the Myntri of Nongkhlaw from the Nongkhlaw clan and the Rynjah Myntri from the Rynjah clan or Kharkongor Myntri from the Kharkongor clan. The Hynniew Raid (Seven Raids) and the San Kur San Shnong (Five Kurs Five Villages) which formed the Shyllong state were also known as Lai Basan (three Basans) that is the Raids under the three basans, which include the Basan Tyngkong, incharge of Raids Myllem, Nongkrem and San Kur; the Basan Khrum in charge of Raids Nongkseh, Nongumlong, Synrem or Mawlieh Mawshai and San Shnong (Five villages), the Basan Swer in charge of Raids War Khatar Shnong and Khatar Blang. We understand some Raids joined with the others while some others did not. In any case, some Khasi states come under the administration of the Syiem or the Lyngdoh or the Wahadadar or the Sirdar as the case may be.

The final stage in the growth, development and evolution of Khasi polity was a foundation of the Khasi States under the Syiems called Ka It ka Hima. A combination of factors led to the emergence of Khasi states under the Syiems. First, as the villages grew in size and population, the people found it necessary to be under one common administration. The Syiem is there not to dictate but to be their philosopher and guide, he would be the mediator between the people and the Dorbar Hima. In short, the Khasi Syiem rules but does not reign. Secondly, it is a popular belief that it is a taboo for the people to administer justice or being in charge of "Ka nar ka bili" or "U Tangon u lymban" or "U Saikhum u Saiteh," (Metaphorically, they all signify justice or judgement or verdict), hence, the necessity of the Syiem. Thirdly, it is a popular belief that a Syiem, who has been ordained by God to come to the earth, has certain super powers to decide between right and wrong, to take charge of Ka Niam Im Ka Niam Iap (religion for the living and the dead) of the Bakhras or the people, to collect or impose fines or gather the wealth and belongings of Ka Taro, u Thlen or ka Shwar, which the Bakhras or the people would regard as a taboo or a religious impurity to be brought within their hearth or their clan. Fourthly, as a Khasi state grew in strength, power and influence, there was also every likelihood that they would fall a prey to foreign invasion. The question of defence therefore, demanded the entity of Syiemship. Fifthly, the Basan of the Raids or ruling clan have equal status, there was therefore the necessity of evolving an institution as head of the state.

Broadly speaking, among the different nations of the world, the strong and the mighty made themselves kings and emperors. But among the Khasis, any person, however strong he may be, could not take the tittle of Syiem or established a state. The Basans or the Lyngdohs or the leaders of the Raids (collectively called the Bakhras) who, with the full consent of the founding kur or kurs of the village would annoint a particular jaid or clan as Jaid Syiem.³³ All those belonging to 'Jaid Syiem' do not also descend from the same common ancestress, they may be annointed in their own Raids in accordance with the norms of their respective Raids. As such, they do not belong to 'the same Kur' except in the case of Jaid Syiem Myllem, Syiem Laitkor, Syiem Khyrim, Syiem Mawpdang which claim to

belong to the same kur since they descended from the common ancestress, Ka Pah Syntiew.

The Jaid Syiem has its own story to tell of its origin based on Khasi tradition. Almost all Khasi writers corroborate on the popular belief. In the first instance, Sutnga, Madur Maskut and Shyllong regarded their Syiem as '*Ki Syiem Ki Blei*' ("the Syiem the God.") In other words till today, there is a belief that they have a divine origin. Sutnga is believed to have come out of *Ka Li Dohkha* and a *Luh Ryndi*. *Ka Li Dohkha* was a fish from Umwi water which later turned into a human form and married U Luh Ryndi. They gave birth to two daughters — *Ka Raputong* and *Ka Rapunga*, three sons — *U Syngkhlein Am*, *U Bania Am* and *U Tetiaksaw* — from Raputong sprang the Syiem 'Sutong' and from Rapunga sprang the Syiem '*Sutnga*'.³⁴ Madur Maskut is believed to have come out from the pig and u Kyllang Raja Syiem has been called "u Syiem Sait Snier" (The Syiem who washed his intestines). Oral tradition tells that he was killed treacherously by his enemies, through a woman, who jilted him and led him to his doom. Since that time, the Sutnga Syiem conquered the whole of Madur Maskut. The Malngiang Syiemship spreads to the four corners of Khasi and Jaintia Hills. Mawsynram and Sohra states claim to have descended from the 'Malngiang clan.'³⁵ Speaking of Shyllong state, it is believed that there was a Mermaid, who was the niece of the Shyllong deity, who is regarded to be the first mother or Root ancestress of the Syiem Shyllong (Khyrim and Myllichem clans). She was lured or enticed by a flower (hence Ka Pah Syntiew) by a man from the Myllichem Ngap Clan, U Sati Myllichem Ngap. She was given in marriage, when she was of age to u Kongor Nongjri. The children of Ka Pah Syntiew are called *ki khun Blei* (God's children). Till today the Myllichem Ngap clan cannot enter into marriage with the Syiem clan of Khyrim or Myllichem. It may, perhaps, be unthinkable that out of a fish, a woman was born, or, that a lovely girl was in daughter of Shyllong peak but the human transfiguration made man reach what God had predestined man to be.

Secondly, the people of Sohra regard their Syiems as U Syiem U Kmie (The Syiem The Mother). According to this story, there were four brothers and sisters — U Buhsing, U Sadang, Ka Shan and Ka Jah who wandered to Swer from

Sumer (Synteng or Jaintia) and U Basan Swer who was the Basan of Khatar Shnong Khatar Blang gave them shelter and took care of them. They were loved and respected by the people for their good behaviour. Basan Swer went to tell this to the Syiem Shyllong and he was given the power by the Shyllong Syiem to annoint them as Syiems. From that time, the four sisters and brothers who came to Swer claimed to belong to the same clan with the Swer clan, under whose maternal care they were brought up — hence U Syiem U Kmie (The Syiem the Mother).³⁶

Lastly, the people of Mawiang regard their Syiem as “U Syiem U Mraw” (The Syiem the Slave) because during the time when the Pariong clan ruled over Raid Mawiang, it is probable that their territorial sway stretched to Sunamganj (Sylhet). But in the war with Maram state, they lost all these territories. It happened that during this period, the ruling clans of Mawiang captured four Muslims, three men and one woman from Punatit and annointed them as Syiems. Till today, the Muslim family at Punatit (Sunamganj) still call their children “Khasia Raja.”³⁷

The land of the Khasis, is always referred to, as “Ka Ri Umsnam” (The land where blood has been shed). There may be a possibility that the forefathers must have got this land through hard struggle and shedding of blood or must have defended it at the cost of their blood. A Khasi is sensitive, he loves his land so dearly, because he has bought it or has been able to retain it through his own blood. Thus, after he inherited it, he feels, it should not belong to one person or one group but every Khasi has the right to use it, there is Ka Hok Ka Riti (the truth, the tradition) to govern or to take care of it. Land Tenure System among the Khasis was born out of this belief that land belongs to the people or *ki Khun ki Hajar* (children of the soil). On this ground well prepared by the forefathers, Syiemship, Doloiship, Wahadadarship, Sirdarship emerged not through arbitration but by the will and consent of all concerned. Herein lies the foundation of the “*democratic instinct*” of the Khasis. Dr. R.S. Lyngdoh rightly points out in his welcome address at the Conference of Presiding Officers of Legislative Bodies in India (5th November, 1974):

“Infact, in Khasi polity, an individual is assured of an equal opportunity in the administration based on native genius, an organisation . . . unlike other hereditary chiefs elsewhere the Syiems were elected Chiefs, chosen by an electoral college of “Bakhraws and Basans” who were themselves the elected representatives of the people. Till today, the political system of the Khasis is more democratic than that of the Panchayat system that exists in the plains. When no democracy existed in the plains, the Khasis were ruled by a democratic process . . .”

In a petition to the Governor of Assam, there is an explanation which explains the office of the Syiems as follows:

“The office of the Syiem is a sacred institution entrusted with the protection and preservation of the rights and regulation of duties of every citizen of the Syiemship, which the Founder Clans along with the Dorbars of villages called “Dorbar Shnong” and “Dorbar Raj” have appointed unto themselves by a covenant or oath, the Syiem as symbol of unity of all villages and group of villages comprising the Syiemship.”³⁸

The Syiem is referred to as Pa-Iem (Father-Syiem), the women of the Syiem Clan as Mei-Iem (Mother-Syiem) and the citizens (Khasis) as Ki Khun Ki Hajar (Children of the Hima). H.O. Mawrie observes that the Syiem is to act like a mother to take care of the orphans and widows, the deserted and destitute, the sick and the poor, and those whose clan has become extinct. “Ka Sad Ka Sunon,” which is still in existence in Khyrim State, is also another institution. There is no equivalent in any English Dictionary. It stands for the ruling Syiem, the Bakhraws of the state and Ki Khun Ki Hajar. It is the seat of power, justice, religion, unity and harmony. The Syiem is only the representative of the female Syiem in the Dorbar or in the battlefield. He brings all the produce of the Hima to the Syiem Kynthei and he cannot spend it without proper consultation with the Syiem Kynthei. This does not mean that the Syiem Kynthei is above the ruling Syiem but, be the Syiem Kynthei or the ruling Syiem or the Syiem Sad they all work harmoniously for the good of

the whole Hima.³⁹

The Khasis have developed a three-tier system with built in checks and balances to guard against any usurpation of power. There is the Village Dorbar or Dorbar Shnong to look after the social affairs of the village or locality, several villages then join together to form the Raid with the Dorbar Raid to take care of disputes between the villages, the judgement and verdict of which, should be according to the prevailing tradition. Till today at the apex there is "U Syiem bad ka Dorbar" and "Ka Dorbar Hima." For all practical purposes, the Syiem is assisted by two dorbars — U Syiem bad ka Dorbar, which consists of the Myntri, the Basans, the Lyngskors, the Lyngdohs collectively called the "Bakhraws" and the Dorbar Hima or the Council of the people, where every adult would be represented and where matters of great importance are to be discussed and decisions taken upon. T. Cajee observes that there is the Hima with the Syiem, the Lyngdohs, Myntris, the Basans and the Headmen or Sordars. In Sohra, there is the Syiem and the twelve Kurs, in Khyrim the Syiem and the Six Lyngdohs and so on. Every political institution should be in accordance with the established norms of each Hima. Each major clan has its own Lyngdoh or Bakhraw. As the Hima expands by embracing new villages, the Dorbar Hima would have more representatives. The Syiem can do nothing without the will and consent of the Dorbar Hima. This Dorbar Hima elects or dethrones the Syiem, it promulgates laws and byelaws, it gives its assent to the appointment of Myntris or Lyngdohs or Basans, it decides war and peace and lastly gives its final decision to any suit.⁴⁰

The Khasi political system which existed from unrecorded time gives enough room to British administrators, scholars or writers, to analyse the characteristics of the Khasi Himas, to bring in the differences or similarities with the other republics existing in other parts of the world. Robertson, the Commissioner after David Scott wrote of the Khasi Hima:

"Among many peculiarities apparent in the form of society and Government, existing, among the Cossyahs, the absence of any recognised organ of supreme power is very remarkable. The nation or horde presents the appearance of a congregation of little oligarchichal republics, subject

to no common superior, yet of which each member is amenable in some degree to the control of his confederates.”

Ten years after this, Yule wrote,

“They show no particular courtesy of bearing towards their Rajas. Indeed the latter do not seem to have much power.”

Rev. Lewis described the form of Government in 1853 as a mixed one where the Syiems were mostly controlled by,

“the character of the people. The Syiem was absolute by nature but in some places he exercised limited powers because the people controlled him. Nevertheless, all Syiems were easily accesible to the people.”⁴¹

Gurdon wrote on the nature of the Khasi States that the Syiem

“Can perform no act of any importance without first consulting and obtaining the approval of the Durbar upon which the Myntris, the Dolois, the Sordars, the Lyngdohs sat . . .”

He also observes,

“The Syiem in matters judicial acts as Judge, the whole body of the Durbar being the Jury.”

In short, the Syiem or the Lyngdoh or the Sirdar is the elected ruler according to the democratic principles. He is the instrument to carry out the decision of the Dorbar. He cannot act on his own.

In spite of certain changes introduced by the British, the Khasis functioned with a high sense of justice. As the State was founded on religion, justice would be administered with as much care as possible in conformity with the norms and tradition of the people. If there is any kind of dispute among the members in the family or the Kpoh or the Kur, the first suggestion to be given to them would be to settle amicably. If it cannot be settled, it is then brought to the notice of the Dorbar Kur. The Dorbar is constituted of “the elders of the family (Ka Ing) or the branch of clan (ka kpoh) or if the clan

itself as a whole (ka Kur)" depending upon whether the dispute is between members of a family, or members of a branch of the clan or members of the branches constituting the clan. They are known as Dorbar Iing, Dorbar Kpoh or Dorbar Kur respectively. The efficiency of the Dorbar Iing or Dorbar Kpoh or Dorbar Kur is that there is always a fear and bad omen which may befall if there is no amicable settlement within the family, kpoh or clan as the case may be. The people fear, even till today that it is 'Ka Sang' (taboo) if there is a dispute among the members of the family, or womb or clan. They are apprehensive of going to the court, which, among the Khasis is called ka *Iing Lieh*, *Ka Iing Saw* (White House, Red House). In short, taking a dispute to the village Dorbar or the court involves a taboo against the person or party which does it. The traditional dorbar is now replaced by a Village Council or a Village Court set up by the District Council under the Khasi and Jaintia Hills Autonomous District Administration of Justice Act/Rules.⁴²

In the first instance, when the person lodged a complaint against another person to the Syiem or Headman, the complainant would be asked if he had any uncle or not, the complainant would be asked if he had any relationship with the accused because if they belonged to the same Kur or had any clan relationship, it would involve "Ka Sang" or a Taboo. They would then be asked to settle the dispute amicably. If this could not be done, the accused would be asked to appear before the Syiem with his/her maternal uncles and families as there were no lawyers, the maternal uncles would plead for the complainant and the accused respectively.⁴³ Gurdon observes that the ostensible object would be "to bring about a compromise between the parties." If they could not reconcile, the Dorbar Shnong would be convened. In the evening when everybody would be back home from the day's work, a Sangot or Crier would be sent to call the people or make a public announcement that everyone should assemble the next morning for the Dorbar Shnong. Gurdon gives the English translation of the village announcement as:⁴⁴

"Kaw, thou, a fellow villager,
thou, a fellow creature,
thou, an old man,

thou, who had grown up
 thou, who art young
 thou, a boy
 thou, a child
 thou, an infant
 thou, who art little
 thou, who art great

Hei : because there is a contest
 Hei : for to cause to sit together
 Hei : for the cause to deliberate
 Hei : for to give intelligence together
 Hei : about to assemble in durbar
 Hei : for to listen attentively
 Hei : ye are forbidden
 Hei : ye are stopped to draw water thou not to cut
 firewood then
 Hei : to go as coolies then
 Hei : to go work then
 Hei : to go to journey then
 Hei : to descent to the valley then
 Hei : he who has pouch
 Hei : he who has a bag
 Hei : now come forth
 Hei : now appear
 Hei : the hearing then is to be all in company
 Hei : the listening attentively then is to be all together
 Hei : for his own king
 Hei : for his own lord, lest destruction has come, lest
 wearing away has overtaken us:
 Kaw : come forth now fellow mates.”

This is called “Khang Shnong” which means, no one is allowed to go and work. One male adult at least should come to the Dorbar Hima. Those who refused to attend would be fined.

Gurdon observes again that in the Dorbar ground, there are flat stones arranged irregularly for the people to sit. The Headman would open the meeting with a long speech, others made short speeches too “touching upon all sorts of irrelevant matters but throwing out hints now and then, bearing on the

subject of accusation. Slowly, they came nearer to the point. Then the complainant and the defendant would throw their 'Tarong' (a bag of pan, betelnut, and lime) in front of the Dorbar as a sign or a token that they would agree to the proceedings of the Syiem and the Dorbar, the Syiem being the judge and the Dorbar being the jury. Witnesses were examined on oath usually on a pinch of salt placed on the sword. Sometimes, the oath was sworn on "U Klong" (a hollow gourd containing liquor). It is believed that if a person swore falsely by U Klong U Skaw, he or the family or clan he represents will die. According to this ordeal there would be U Klong (Gourd) containing Sapoh (rice) and a feathered arrow with a barbed iron head which would be planted in the fermented rice. The person who took the oath would give this Klong to the person or Judge of the case. Gurdon described that the Judge would invoke the Goddess as follows:

"Come down and bear witness, thou Goddess who reignest above and below, who create who placeth him (on earth), who judgeth the right and the wrong, who giveth him being a stature (i.e.) life. Thou Goddess of the state, thou Goddess of the place, who preserveth the village, who preserveth the State, come down and judge. If the man's cause be unrighteous, then shall he lose his stature (being) he shall lose his age (life) he shall lose his clan, he shall lose his wife and children: only the post of his house shall remain, he shall be afflicted with colic, he shall be racked with excruciating pains, he shall fall on the lacetaring arrow, his dead body shall be carried off by the kites, it shall he carried off by the crows, his family and his clan shall not find it: he shall become a dog, he shall become a cat, he shall creep in dung, he shall creep in urine, and he shall receive punishment at the hands of the Goddess and at the hands of man. If on the other hand, his cause be righteous (lada u kren hok) he shall be well, he shall be prosperous, he shall live a defender and preserver of his clan, he shall be a master of tens and a master of hundreds (very rich) and all the world shall see it. Hear Oh: Goddess, thou who judgeth."

U Klong is next invoked as follows:

“Thou U Klong, which whose assistance according to one religion and one custom, a man when he is born into the world is named hear and judge. If he speaks falsely, his name shall be cut off (by the) and he shall surely die.

The Fermented Rice is then invoked as follows:

“Thou yeast, thou charcoal, thou rice of the plough, thou rice of the yoke, thou too, hear and judge. If he speaks falsely, eat off his tongue, eat away his mouth.

Last of all the arrow is invoked as follows:

“Thou piercing and lacerating arrow as thou hast been ordained by the Goddess, who creates man, who appoints man to occupy a prominent place in war and in controversy do thou hear and judge. If he (i.e.) the man taking the oath speaks falsely, let him fall upon thee, let him be cut and be torn and let him be afflicted with shooting pricking pains.”

The man then takes the Klong and holds it on his head uttering the same invocation. The Klong is then given to the Syiem or the Sirdar as the case may be. The person who undergoes this ordeal, is the winner, evidence being unnecessary. However, this ordeal by U Klong or U klong U Khnam would be regarded to be the most serious ordeal by the Khasis. As such, the Syiem or the Dorbar would not propose such an ordeal but would be proposed by one party and accepted by the other party. However, the oath taken by U Klong U Khnam or any kind of oath testifies to the true Khasi religion “Ka Niam Tip Briew Tip Blei: (a religion which knows man knows God) a religion which teaches man to respect Ka Juban Lak or the solemn pledge or a pledged word to speak the truth and nothing but the truth.⁴⁵ Man comes to this world to earn truth and righteousness and he has to give an account of his life to the Giver when he goes back from this world. In a word, the ‘Gourd’ stands for the Covenant between God and man.

If the case could not be decided, the Dorbar would continue for days together. When the verdict was pronounced, a fine of money would be imposed along with the presentation

of a pig to be given by the losing party, supposed to be sacrificed to Ka 'Lei' Synshar (Sovereign Goddess). It is, however, eaten by the Syiem and the Dorbaris.⁴⁶

If the Syiem and the Dorbar found that the evidence by both the parties was unsatisfactory, they would call a witness called 'U Saiphla', a person of repute who would speak the truth irrespective of the two parties concerned. He would be asked to attend the Dorbar. G. Costa narrates that U Saiphla would be examined on an oath and the oath would be regarded by the Khasis as 'Ka Smai hakhmat U Blei' (the oath before God). Again, according to the tradition of the Khasis, the Saiphla must not be a 'Khalijan' or 'Iapduh.' They say 'Ka Khun ka duh jait ka lah ban kren katba ka mon' being a Iapduh or duhjait (one who has lost the line of descent, since there is no female relative), could say whatever comes to his mind without thinking for his kur. But the Saiphla who has his kur or children or near relatives would not dare to speak falsely. It is believed there would be no untruthfulness in the Saiphla, and normally, the decision would be taken accordingly. Decision of disputes is also decided by Water Ordeals.⁴⁷ Each party, had its own man called 'U Ksih'. Such a water ordeal is called 'Ka Ngam Ksih'. The Syiem, the Basans or the Tymmen Shnong would come to the appointed place prepared for this purpose. The Syiem gave the order and the two Ksihs dived into the water, any ksih who could remain longer inside the water, his party won the case. Another water ordeal is by placing two pots — one pot containing a piece of gold and the other pot a piece of silver. They would be asked to dip their hands into the water and any person who got the piece of gold would be adjudged as the winner of the dispute.

Shortly speaking, old customs seen to slip away by and by, the wind of change is very much at work to steam roller the customs and traditions, yet the Khasis, as a general rule, still follow such traditions, though at times, in a modified form. People still fear untruthfulness, they still believe that God sees the truth and the righteousness and that the reward would be divinely given according to what they do in this world. Religion is deep rooted in their hearts, in their whole being. In fact, we can still find Ka Pyrta Shnong, Ka Khang Shnong, Ka Dorbar

Shnong and many others. They still play a vital role in the social and political life of the people. Mackenzie writes:

“The judicial customs which prevail among the tribes, previous to the establishment of our supremacy continue to be observed with such occasional modification as experience proves necessary.”

There is an indication that the Khasi people still feel the need to preserve the traditional and cultural customs.

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CHAPTER II

EARLY CONTACTS

Very little is known about the ancient history of the Khasis due to lack or paucity of historical writings. Speaking of the early contact of the Khasis with the other people, it may, undoubtedly be said, that there had been a contact between the Hills and the plains. J.H. Hutton made the following observation:

“The Hills and the plains have always been hostile. The people who now occupied the Hills were probably driven to take to them as a refuge from better organised invaders whose descendants the plain people are, and from their fastnesses the hill men rarely ceased to harry the plains.”

We may add that the Syiem of Sutnga has established a kingdom in the plains of Sylhet. R.T. Rymbai writes that the Syiem of Sutnga wanted to be rich and powerful as the kings of the plains. As it goes against Khasi tradition, he could not impose land taxes on the children of the soil. He raided the plains, conquered them and made the people of these plains as his conquered subjects. He was called the Jaintia Raja by the people of the plains and the Syiem of Sutnga by his own people. After the Syiem of Sutnga conquered Sylhet, Jaintiapur became his winter resort and slowly, Jaintiapur became the winter capital.

The Khasi rulers, it is said, held the lands situated at the foot of their own hills both in the Assam and the Surma Valleys. Those on the Assam side paid homage to the Koch and Ahom kings who ruled the Assam valley when the latter

were strong and throwing off their allegiance when they were weak. Reference to the Khasi rulers occurs in the annals of the Koch king, Narnarayana and vague reference can be found in the Chronicles of the King of Tippera.¹ According to H. Lyngdoh, the two most prominent Khasi rulers during this period were the Syiems of Sutnga and Khyrim. This has however, been supported by the "discovery of coins, copper plates and archeological ruins of buildings." Silarai (Chilarai) the brother of Narnarayana is alleged to have defeated and slain the Syiem of Sutnga. The son of the slain ruler was placed as the next Syiem of Sutnga. The Syiem of Khyrim also submitted and undertook to pay an annual tribute to Narnarayana at 15 thousand silver coins, 9 hundred gold coins, 50 horses and 30 elephants. The Syiem of Khyrim was also prohibited to mint coins in his own name.²

Lakshmi Devi observes that when the Dimarua affairs came to an end in 1703, the Ahom envoys were returned in October 1703 along with Jaintia envoys by Ram Sing. Thus the friendly relations that were re-established between the Ahoms and the Jaintias remained unbroken till 1707. It appears nowhere that outwardly, there was friendly relationship between the Khasis and the Ahoms which continued till 1707. But in December 1707, a war broke out between the "Jaintias" and the Ahoms, Dr. H. Lyngdoh corroborated the view of Gait, that a big Ahom army starting from Jagi on the Nowgong border, crushed all oppositions, and marched through the Jaintia Hills upon Jaintiapur. In the meantime, another Ahom Army, proceeding by another route along the Kopili Valley and the Kachari country, took the Syiem of Sutnga prisoner and captured Jaintiapur. This was the first time that foreign troops traversed these hills. The subsequent measures of the Ahoms, especially the annexation of their country and the carrying off of their Syiem as a captive through their own hills, so greatly irritated the Pnar people that they made common cause with the Syiem of Khyrim along with the people of 200 independent Khasi villages and butchered the Ahom garrisons who were left in the hills. The Ahoms, nevertheless, succeeded in carrying off the Syiem of Sutnga but the people of Jaintia Hills regained their independence.

The acquisition of the Diwani of Bengal in 1765 by the East India Company ushered in the first contact between the Company and the Khasi Hills. W.W. Hunter states that the adjoining district of Sylhet was included in that grant,

“But as the hillmen had never acknowledged any subjection to the Mahammadans, so they still remained absolutely independent of the British power. However, the necessities of commerce arising from their monopoly of the lime quarries, from which Bengal has drawn its supply from time immemorial, soon attracted European enterprises to the country.”

The Khasis seemed to have lived in a state of intermittent warfare with Sylhet and they continued to be the worst offenders against the good order and peace of Sylhet when it came under the British in 1765. It is said, that the Khasis secured in their mountain retreats, ravaged with fire and sword the fertile plains at the foot of their hills with impunity. Night was the time almost invariably chosen for these murderous assaults, when neither age or sex was spared; and long before the dawn of day, the perpetrators, glutted with slaughter and loaded with plunder were again far among the fastnesses of their mountains on their way home. To the British, they were known as “truculent and blood thirsty Khasis” and “fierce marauders.”

When the East India Company came into contact with the Khasis, they lost no time in realising the rich mineral potentialities and other items of trade that Khasi Hills could provide. They possessed quarries, which furnished “chief supply of lime to deltaic Bengal.” There was an abundant supply of silk, wax, honey, ivory, iron and other items of trade. Another important article of export is the famous Khasi orange which appears to be indigenous in these hills. Sir George Birdwood refers to it as having been carried by Arab traders into Syria, “whence the crusaders helped to gradually propagate it through out Europe.” Local sources said that Khasi wealth was too tempting for the Company to acquire it even at the point of the gun. The Company was ignorant of the bad and unhealthy trade relationship between the Khasis and the plains people of Sylhet, and the Khasis were often blamed for

every discrepancy that took place. Colonel Shakespeare blamed the English officials and businessmen and it is clear from what he writes:

“The few English officials who were there in early days seem to have busied themselves, one reads, in amassing fortunes from the valuable limestone quarries lying along the outer spurs of the Khasi Hills, their Superintendents and quarrymen, frequently, by injudicious conduct, irritating the hills people, thus causing an unsettled state which often ended in retaliation and murder.”³

There is no denying the fact that if the Khasis were left to themselves, perhaps, no untoward incident would have happened. But when they were pushed to the wall they had no way but to retaliate. In 1813, a British Missionary remarked that:

“the real Khasis possessed two characteristic virtues, viz., truth and honesty. They are however very revengeful and seldom forget injuries . . .”

Perhaps, the honest nature of the Khasis could not bear the cunning and underhand means of some of the plains people of Sylhet then and hence, the hillmen and the plains people could not come to an understanding or a compromise. The East India Company regarded the Syiem of Sutnga as the most lawless and troublesome of all the Khasi rulers. He injured the Company's trade by obstructing the Company's boats in their passage down the Surma, exacting tolls, looting their contents and causing them endless delay and annoyance and further raided the revenue paying lands of the Company. In 1774, a punitive expedition was sent to Jaintiapur under Captain Elliker and the struggle was however localised in Jaintiapur. Pemberton attributed the spark of the conflict to some aggressions against the inhabitants of the adjacent plains of Sylhet which had rendered the chastisement necessary. At that time, Richard Borwell was a member of the Governor General's Council of Revenue, Dacca under whose jurisdiction Sylhet was placed. It was he, who ordered the expedition to Jaintiapur against the Syiem of Sutnga because the latter did not allow the British to use

their boats in the Surma without paying taxes to him. Captain Elliker was the officer-in-charge of the expedition.⁴ The Captain defeated the Syiem of Sutnga and took Jaintiapur. A demand of Rs. 25,000.00 was made from the Syiem of Sutnga to meet the cost of the expedition. The Syiem fled to the Hills. He did not return. He did not even pay the money. The troops, could not be left indefinitely at Jaintiapur. Captain Elliker was directed to return. Another letter was also sent to Thackeray advising to persuade the "Raja" to come back and to pay whatever amount he was ready to pay but the British should be allowed to use their boats free of tax in the Surma, which was the limit of the boundary of the Syiem of Sutnga beyond the Hills. The Syiem returned, did not pay the money, but the British had access to the Surma, free of interference. Whatever, might be the consequence of the expedition, this was the first time that the Khasis came into collision with the British.

One important outcome of this invasion was, it led to the survey and demarcation of the boundaries of Sylhet and Sutnga. This was done entirely by the officials of the East India Company. It therefore, led to frontier troubles with the Khasis when Lindsay leased some lime quarries about 1779.⁵ The magnificent lime quarries attracted European traders to Pandua near Bhologanj at the end of the 18th Century. Taken as a body, these men, according to the Company, were hardly calculated to raise the prestige of the Englishmen in the eyes of the Khasis and most of the disturbances which occurred are ascribed by the Collector of Sylhet, Robert Lindsay to their injudicious conduct. In 1783, the Khasis attacked Pandua to avenge an insult offered to one of them by the Havildar of Lindsay. Much blood was shed, the servant of Lindsay was killed and his lime kilns were destroyed. The prisoners, taken, were killed and scalped. This incident also seems to have confirmed the fact that the Khasis of the Shella were not under Sylhet prior to the advent of the British. Sir Charles Lyall in his "Introduction" to Gurdon's "The Khasis" stated that a line of forts was established along the foot of the Hills to hold the:

"mountaineers in check and Regulation No. 1 of 1779 was passed declaring freedom of trade between them (Khasis)

and Sylhet but prohibiting the supply to them of arms and ammunition, for forbidding anyone to pass the Company's frontier towards the hills with arms in his hand."

The survey and demarcation of the boundary of Sylhet and Khasi Hills also caught the attention of the Company because of the trade facilities and mineral potentialities of the Khasi States. The Company wanted that it should not fall into any unnecessary difficulty. The Report,⁶ accompanied by a map, "carried the definition of our frontier to the neighbourhood of Pandua" it was bounded by the States of the Syiem of Sutnga and the Syiem of Khyrim. The report states that a careful enquiry was done based on the records of the different officers as well as the verbal communications of respectable natives. The English were able to collect some scanty particulars of the boundary "at some period antecedent to the acquisition of the Diwani by the Company." The report also states that in order to defend the boundary, the Khasis should be confined to the mountains, no matter what the objective of the Khasis might be. It was found that during the relaxation of the Mughal power, the Khasis made many considerable encroachments on the lowlands and even after establishment of the British Government possessed themselves partly by force and partly by intimidation of several estates on their side of the Surma valley; a series of outrages committed on the adjacent country, at length drew on them the attention of the Marquis of Cornwallis, who in 1789, issued Orders were at the same time given for the definition of the boundary line and the collector was directed to inform the Khasis that they would not for the future, be permitted to come down armed, within the line of the Company's frontier. Though measures were not taken to mark the limits with precision, yet from common report, it would seem that it was intended to include all the lowlands within the Company's Frontier, leaving to the Khasis the undisturbed possession of the mountains. The strict observance of this rule was experienced on account of the difficulty which occurred in marking the line at which the lowlands were interested by low ranges and hillocks. Perhaps, this also led to the adoption of the subsiding boundary line which ultimately led to various

clashes and incidents over boundary dispute between one state and the other or between the hills and the plains.

Hamlet Bareh writes in 1817, an incident occurred over the lease of limestone quarries by the Syiem of Langrin to Inglis and Company, at an area called Lour which is situated between Bogles Churrah on the west and Pumatit on the east for a term of ten years. He again observes, in 1821 a dispute occurred when the Syiem of Nongstoin (probably Rangnoh Syiem) who wanted to extend the boundaries of his state, questioned the authority of the Syiem of Langrin over the quarries and in the process came into clash with Inglis and Company. In September of the same year, the Khasi traders raided the area and carried off seven men of the Company. The Agent of the Syiem of Nongstoin brought a letter from the Syiem a copy of which was handed over to Inglis. The Nongstoin Syiem afterwards granted the lease to a French businessman, suspending Inglis from the area of work. The matter was reported to the East India Company to rescue Inglis and Company but it seems the Company did not intervene.

In 1821, it was recorded by the British that three persons, subjects of the Sutnga State were seized in the Sylhet District while in the act of dragging away a young man, and on examination, it appeared that they had been sent by the brother-in-law of Ram Singh to seize a man for the purpose of offering him as sacrifice to the shrine of Kali, and that they were endeavouring to carry that abominable purpose into effect when they were seized by the villagers and delivered over to the civil authorities. The men were tried, convicted and punished and an intimation was made to Ram Singh to the effect, that if another instance should occur of a British subject being kidnapped for a similar purpose, the English would immediately demand the surrender of the individuals, at whose investigation, the crime might have been committed and that on the proof of their having been instigators, of the attempt, such individuals, however, high in rank would be publicly put to death, and, that if the demand for the surrender of the individuals in question were not complied with, the Imperial Government would consider the Rajah, as having

taken the guilt upon himself and would proceed against him accordingly.⁷

Speaking of the early contact between the English and the Khasis, the East India Company adopted every possible method to bring the hills of the Khasis under the control of the English. There were reasons which prompted the Company to get the friendship of the Khasis. First, the English felt the need for a postal service from Sylhet to Assam through the Hills. They also felt the need for linking the two valleys through the hills for trading and commercial purposes. A Government letter states, Assam was divided from Sylhet,

“by the lofty and difficult range of hills inhabited by the Cossyah mountaineers . . . and the intercourse between them by this route (through the hills) was confined to the medium of the hill tribes by whom was carried on a very partial exchange of the commodities of the respective countries.”⁸

Secondly, the cool and salubrious climate of the hills attracted the attention of David Scott and the subsequent officers. The same letter refers to this hill region, as

“ . . . hitherto been inhabited by a race of barbarous and savage mountaineers whose aggressions have constantly been the terror of our frontiers and whose enmity and jealousy have prevented all inter-course between neighbouring districts may become a healthful retreat for invalid Europeans, a happy abode for their children, and a nursery of a hardy race of natives by the occupation of the tract (hills) by us, become a connected and an integral part of our territories instead of a detached and distant province . . . ”

Thirdly, the threat of the Burmese invasion in “Jaintia” provided a chance to David Scott who, by a stroke of diplomacy managed to bring Ram Singh of Sutnga to enter into an agreement with the Company on the 10th March, 1824 by which Ram Singh acknowledged allegiance to the Company and promised to aid in the military operations then commenced against the Burmese in Assam. He was promised the assistance of the Government troops, if his own resources

were actively employed in repulsing the enemy and threatened with punishment if he admitted the Burmese into his territory.⁹ Besides, there was another treaty between David Scott and the Sutnga ruler by which the latter agreed to march and attack the Burmese to the East of Guwahatty and the Honorable company, upon the conquest of Assam would confer upon him a part of the territory proportionate to his help in the common cause. The British, after the conquest of the Burmese repudiated this and gave him nothing, on the plea that he only sent a few of his household servants to fight the enemy.

In the same year David Scott marched from Sylhet into the Brahmaputra valley across the Jaintia Hills. This is the second time that foreign troops traversed through the hills. Ram Singh agreed to allow the construction of a road through the State, that is from Jaintiapur to Nowgong, David Scott, however, travelled on this road on one occasion.¹⁰

Apart from bringing the Khasis under the Company through military power, David Scott also planned an economic blockade by which the Khasi traders were excluded from the frontier markets both for the sale and purchase of their products. This, however, paralysed Khasi trade and brought the "fierce marauders" as the British called them, into immediate contact with a super power which they in vain attempted to resist.¹¹ Sylhet had already become part of British possessions since the East India Company's acquisition of the Diwani of Bengal in 1765. When the Brahmaputra valley was annexed to the British empire by the Treaty of Yandaboo (24th February, 1826) it engaged the serious attention of the British to link the two valleys through the Khasi Hills. We can say, that this, however, goaded the British in their attempt to establish their supreme paramountcy over the Khasi and Jaintia Hills.

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CHAPTER III

ASCENDANCY OF THE BRITISH

The East India Company, which represented an imperial power was determined to become the undisputed master of the hills. They lost no time in realising the prospect of trade and the rich mineral potentialities which could be properly tapped and explored to the best interest of the English. David Scott, popularly known among the Khasis as "Iskat Sahep" was one of the many English officers who gave a sound and deep footing of British rule in Khasi and Jaintia Hills. He was appointed Agent to the Governor General for North East Frontier in November, 1832.¹ With the annexation of Assam to the British territories by the Treaty of Yandaboo (February 24, 1826), David Scott was appointed as Commissioner of Assam. Till his death in 1831, we may say, David Scott was undoubtedly the main architect of British colonial and imperial domination over the Khasi States.

With many objectives in mind, David Scott tried to find avenues through which he could gain an outlet to the hills. Perhaps, coming to the land of "savages" as they called the people, they were under the impression that they could play fast and loose with the rulers of these hills. But they met with strong resistance. One of the Khasi rulers was the Syiem of Sutnga, who, according to the English, was strong, determined and stubborn. When the third Burmese War threatened the safety of Sutnga State, David Scott took it as a chance to win over the friendship of Ram Singh, Syiem of Sutnga against the Burmese incursion, thereby winning a foothold of the English in the East of Khasi Hills. On the

10th March, 1824 two years before the Treaty of Yandaboo was signed, a treaty was concluded between David Scott, Agent to the Governor General on the part of the East India Company and "Ram Singh of Jaintia" (No. LXXIII. Aitchison's Treaties, Engagement and Sanads Vol. XII). By this Treaty, Ram Singh acknowledged allegiance to the Company and placed his country under the protection of the English. It was agreed that mutual friendship and amity shall be maintained. Secondly, the internal Government of the country shall be conducted by the 'Jaintia' ruler and jurisdiction of the British Court of Justice shall not extend there. Ram Singh promised to abide by the rules and customs of the country, and should any discrepancy occur in the administration of the country, he agreed to rectify with the advice of the Governor General in Council. Thirdly, the Company agreed to protect Jaintia from external enemies and to arbitrate any differences that might arise between Ram Singh and the States. He agreed to abide by such arbitration and to hold no political correspondence or communication with foreign powers except, with the consent of the British Government. Fourthly, in the event of the Company being engaged in war to the eastward of the Brahmaputra, he agreed to assist with all forces and to afford every other facilities in his power in furtherance of such military operations. Lastly, he agreed, in concert with British local authorities, to adopt all measures that might be necessary for maintenance, in the district of Sylhet, of the arrangements in force in the judicial, opium and salt departments.

Besides a separate article of the Treaty was also inserted by which Ram Singh agreed to assist in war, commenced in Assam between the troops of the Company and the King of Ava. On the other hand, the Company agreed, upon the conquest of Assam, to confer upon him, a part of that territory to the extent of his exertions in the common cause. According to the English, the "Jaintia" ruler most probably, previous to Ram Singh, had acknowledged the supremacy of the British authority and had continued under its shelter and protection in the undisturbed possession of its ancient race of rulers without claim or payment of tribute of any kind.² The terms and conditions of the Treaty of 1824 were not only fully complied with by him but he was so fortunate as by his faithful

attachment and zealous exertions in the supply of men and provisions to the military force directed upon Assam and in the clearance of roads through the jungle and other services, to obtain the esteem and approbation of the British authority.³

After the Treaty was signed, David Scott marched through the Jaintia territory with an escort of three Companies of the 23rd Regiment Native Infantry under Captain Horsburge.⁴ David Scott observed that the reception he received from the "Jaintia" ruler was one of grandeur and friendly attitude as one dependent on the good will of the Company. According to Pemberton, Ram Singh was soon found to violate the terms and conditions of the agreement by permitting a Burmese detachment from Assam to occupy his territory in direct violation of the Treaty. This might, however, be a usual plea of the British to find a pretext to get out of their commitment.

Correspondence followed one after the other.⁵ In a letter from David Scott to Ram Singh (13th April, 1830) the English considered it improper for Ram Singh to establish a chokey at Chapper Mookh to levy a toll on passing boats because the southern side of the river formed the boundary of Sutnga, the northern side of the river, the boundary of the British. Ram Singh refused point blank to remove the chokey inspite of many objections raised by the English. In a letter from Ram Singh to T.C. Robertson, Ram Singh is said to have stated that the chokey was established prior to 1830, though it was abolished during the Burmese invasion but revived again on request by David Scott. The letter states that David Scott wrote back to Ram Singh to abolish it, to which he replied that he would be subject to great losses by giving it up. After Ram Singh's death, Indro Singh (Rajendra Singh) the next ruler was asked by T.C. Robertson (19th October 1832) for the immediate abolition of the chokey. The new ruler however, stated that there was an agreement between Ram Singh and David Scott consequent to negotiating a treaty by which it was promised that "after the conquest of Assam (which was then being invaded by the Burmese) a portion of its territory would be assigned to me (Ram Singh)." The English however wrote back to Indro Singh that the portion of territory to be assigned to the Jaintia ruler was a different question from

the establishment of a chokey. He was, therefore, served with a Parwana (21st May 1833) that in case of failure to remove the chokey, a detachment of soldiers would be dispatched. The Parwanah was to be returned within the space of ten days with a fitting reply to be written at the back of the Parwanah. Paying no heed to the summon of the English, the second Parwanah was sent (1st July, 1833). In the meantime, heavy tolls were levied by Indro Singh's assistant. The English grew more furious and thereupon gave an ultimatum to Indro Singh that if he would not cease levying and abolishing the chokey altogether, the territory of Chapper Mookh would be annexed to the British possessions. Indro Singh refused all the allegations charged against him. He stated that he would not abandon the ghat, whatsoever might be the threat of the British.

Before commencing on any further correspondence with Indro Singh, to submit whether, he, in the opinion of the Government, was entitled by right to levy tolls or not, it decided that Indro Singh be addressed direct from the Government desiring him to withdraw the chokey by a certain period and this should be intimated to the Government concerned. But, on the other hand, if the decision of the government should be that the Jaintia ruler had the right to levy the toll, the government felt that it would be necessary that there should be a certain rate fixed, which Indro Singh should not exceed, on the ground, that all the products produced were exclusively within the territorial jurisdiction of the British. Hence the English Government was of the opinion that there must be some right on its part to fix a limitation to the demands of the native ruler. The English again asserted that it would be absolutely necessary for the improvement and the peace of the frontier areas for the necessity of the consolidation and expansion of British rule in India.⁶

In 1832, the British officially recorded:

“Two British subjects were passing along the high road in Assam when they were suddenly seized, carried up into the hills in the neighbourhood of Goba, and after having been decked with new clothes and jewels, they were led to be sacrificed, together with two other persons, also subjects of this government. One of the individuals first

named succeeded in making his escape and on his return to the plains he gave information of what had occurred, and, as his statement was corroborated by many collateral circumstances, there is no reason whatever to doubt the truth of what he said. The crime was perpetrated, it is to be feared as regards the other three individuals, as they have never since heard of. Since this period you have been repeatedly required by my Agents in Assam to surrender the guilty individuals but all to no purpose, and there is even strong reason to suspect that you have not only wilfully screened the perpetrators of this horrible crime but that you were cognizant of it yourself while you were yet heir apparent during your father's life time."⁷

Local tradition however tells that the alleged sacrifice of the British subjects by the Syiem of Sutnga was a charge of the British to get an excuse to attack the Khasi state and occupy it. The fact of the case was the British subjects were seized, if seized at all, by the Raja of Gobha (Nowgong) who was actually tried by the British for the alleged offence but was found not guilty even though there was one of the four subjects who was said to have escaped immolation and gave evidence not accepted by the British Court itself. The British nevertheless, put the blame on the "Jaintia" ruler on the plea again, that the Raja of Gobha was owing him allegiance. Ram Singh died on the 25th September, 1832.⁸ He was succeeded by his nephew Indro Singh, whose name was wrongly spelt Rajendra Singh. He was also the nephew and not the son of Ram Singh.

Indro Singh remained stubborn and adamant and set the authority of the British at defiance. Tradition tells that the Syiem of Sutnga understood the shrewd diplomacy of the British. Imbued with the air of freedom and independence to overthrow the yoke and allegiance of the British, he was determined to have his country intact and undivided. But the British resolved to proceed to the extreme measure and informed him that his possessions in the plains would be confiscated and that those in the hills would be so likewise if such crime occurred therein hereafter.

On the 15th of March, 1835, Captain Lister, commanding the Sylhet Light Infantry Battalion, in company with Mr. H. Inglis, then having the local rank in the same corps, proceeding to Jaintiapur, with a strong detachment and in accordance with the instructions of the Government seized the whole of the Syiem's property, real and personal, in the plains, leaving him the hills and what properly he might possess therein only. As quoted from the letter of Lord William Bentinck to Indro Singh of Jaintia:

“... I have contended myself on this occasion with ordering the confiscation of all your possessions, of whatever description they may be, which are situated in the plains and you will accordingly be pleased to make overcharge of them to the neighbouring British authorities in the manner which Captain Lister shall direct you. You continue as before to exercise your rule over your district in the hills.”⁹

Indro Singh was offered a choice to go to the hills where he could remain the ruler. But he refused on the ground that the British had “snatched his rice bowl.” His authority over the people was merely nominal, he received from them no revenue but only certain dues which were of little value. The Dolois exercised their power over their own and subordinate villages independently, it was resumed by the Government that a pension of Rs. 500/- per month was assigned to him and he was directed to reside at Sylhet. Captain Lister was instructed with the assignment connected with the disposal of the ruler of “Jaintia” in conformity with the instructions given. We understand how Captain Lister was expected to carry out the order from the following letter.¹⁰

“If the Ex-Raja should still be unwilling to reside in this territories or the Hills, he should be required to proceed first to Sylhet at which station you can in communication with the magistrate have a suitable house for his accommodation.

“It was not the intention of the Government that the Ex-Raja should be deprived of any portion of his personal property and you will be pleased, therefore, after he shall have complied with your injunction to remove to Sylhet,

to restore to him all the money that had been taken together with his elephants and property of every description excepting the guns and other war like implements which should be forwarded to you to the nearest government depot.

“The administration of the country on the Hills as well as those in the plains will for the present be confided to you

“The Ex-Raja while residing at Sylhet will be subject to the surveillance of the magistrate but not to any restraint so long as he manifests no disposition to leave the station and otherwise conducts himself with propriety”

According to the information received by the Government at the time, Indro Singh wanted to make appeal to the Imperial Government but Captain Lister placed guards accordingly around his palace. Finally, the plains territories of the ruler of Jaintia were annexed and transferred to the British. The Political Agent, Captain Lister issued a proclamation to the inhabitants of the plains of the Jaintia territories:

“ . . . From this date (15th March 1835) the above territories (Jynteapoor territories) are taken possession of by the British Government, you are ensured protection both in person and property, carry on your affairs as usual and with every confidence.”

Indro Singh was said to have left his palace and he resigned, as ordered, all his territories in the plains. He was reluctant to stay back in the hills as we learn from the letter from Captain Lister to the Secretary to the Bengal Government, (18th March 1835):

“ . . . avowed his intention of exercising no longer any rule over the districts left him in the hills but of continuing to reside in the British dominions.”

Captain Lister according to the same letter above, explains the Jaintia ruler's determination to abandon the hill districts on account of his unpopularity among his subjects, since he has been deprived of his resources from the plains

of being able to maintain his authority in the hill districts even if he were inclined to accomplish it. However on the departure of the Jaintia Ruler, according to Captain Lister,

“I took possession of his treasure and all his effects.”

The letter of the 18th instant indicates, that Captain Lister was occupied on the 16th instant in weighing,

“but the treasure with such imperfect scales as could be found in the Bazar and in taking a hasty inventory of the effects”¹¹

Perhaps, it may be unfortunate that Indro Singh's property should have been seized in this way by Captain Lister; his personal property apparently even his clothes and cooking pots were seized. It may be sarcastic and harsh, perhaps it was not even intended by the British Government. We may add, the district of Gobha was similarly annexed to Nowgong in Assam.

Speaking of the ascendancy of the British in the hills, the climate of the hills similar to that of Europe attracted the attention of the English, they entertained that these would be best suited for a sanatorium. David Scott suggested for establishing a “Convalescent Station” in the Khasi Hills, as it would be beneficial to the “European constitution throughout the several seasons of the year.”¹² Of the localities which have been pointed out as fit situations for the establishment of a sanatorium or Cantonment for European troops, the advantages presented by Sohra (Cherrapoonjee) were so evident and carried sufficient weight to be chosen as the most desirable spot. Nongkhlaw has been shown by experience to be less healthy than Sohra or Mawsmi. It was deficient at certain periods in good water, and, for three months in a year was found to be absolutely devoid of pastures. Again the ground was found to be much broken and undulated, affording no table land, whether for military purposes or garden cultivation. Mawphlang would be a desirable spot for invalids from its inland position and altitude and being in great measure free from the damps prevalent at places nearer the edge of the mountains. It might hereafter prove a temporary change for a few convalescent individuals. Mawsmi was more exposed to the violence of

wind. Sohra Rim (Old Cherra), to the British, was more remote from the plains and consequently from all necessary supplies. The place around Sohra Rim was found to be barren, the supply of water was also scanty.

The English experienced the superior advantages possessed by Sohra (Cherrapoonjee) because of its accessibility, by possessing the means of water carriage close to the foot of the hills during the rains for boats of considerable burden, and, to Pandua for smaller ships all the year round as well as navigation for all boats to Chatak at all seasons. Secondly, Sohra had sandstone which could be abundantly used for building purposes, there was lime, timber for common carpentry purposes or fuel and, an attendance of excellent water. Thirdly, its nearness to Sylhet would enable the Bengali artisans to come from Sylhet and Chatak. Fourthly, it possessed an extent of level ground sufficient for the amusement and exercise of the European population on horseback and in carriage as well as military parades. Lastly, there were tolerable roads for dry season but, at the same time, the roads could be covered with a metalling of broken stones and the roads could be rendered paradable during the rainy season. The only considerable objections to Sohra would be the thinness and poverty of the soil. Yet, another serious obstacle to the improvement of the tracts along the foot of the hills has arisen, according to the English, from the constant liability to the attacks of the Khasis. The English believed that the extension of their influence on the Khasis would strike "at the root of the evil." Yet in spite of some of these obstacles, Sohra possessed the advantage of supplying sufficient fodder to the cattle, much superior to any other part of the hills. It had tolerable grazing ground, and if such grounds were safely available, there would be no difficulty in providing grass for any number of cattle that the wants of the depot might demand. In a word, David Scott found that many of the lands in the hills would be best fitted for pasture lands and that horses and cattle of the best description could be produced at a cheaper rate. This experiment was followed by his successor, T.C. Robertson who wrote:

“Pasture lands abound in every direction and in that side of the mountains especially in the vicinity of Moleem there is a good deal of cultivation.”¹³

The English tried to give shape to this experiment after the surrender of Tirot Sing as embodied in one of the clauses of the Treaty dated 29th March, 1834, which said :

“That the Raja and his Muntrees shall engage to furnish grazing land for as many cattle as Government may deem it necessary to keep on the hills . . . the Raja and his Muntrees are to be responsible for the proper care of such cattle as may be sent to graze on their lands.”

This clause would be applicable not only to Nongkhlaw but to all Khasi States and territories over which the English had a control.

From all observations and the concerning testimony of the European visitors to the hills, the English entertained the salubrity and fitness of the hills for the cantonment and sanatorium of European troops under the proper provisions of buildings and even clothing, adopted was suitable to the climate. A residence in the hills would also be found beneficial to the children of the European people, and so, they decided to recommend the removal of a considerable number of children, first of the Lower Orphan School, as an experimental measure which would end in a perfectly satisfactory result. Moreover, all other expected benefits from the possession of such a healthful mountainous tract would be the adoption of some decided steps to command the entire submission and obedience of the Khasis.

As to the transfer of certain lands in the plains of Sylhet to the Syiem of Sohra in exchange for the land at Sohra ceded by him to the government for the purpose of a sanatorium in 1829-30, we understand that the Lieutenant Governor was asked to convey to the Board, the memorial as seen in the Government letter of the 25th July, 1859, from the ruling Syiem of Sohra then who was extremely desirous of obtaining the sovereignty over the land near Pandua, which Mr. W.J. Allen an officiating member of the Board was authorised by the Government orders to transfer to the Syiem as a rent free tenure in settlement of his claim. The original stipulation

made in 1829-30 was that an equal quantity of land in the Sylhet plains should be transferred to him in exchange for the land which was first taken by the government for the station. However though money compensation for the excess of land given by the Syiem of Sohra was offered to him, he declined to accept any other terms than those originally stipulated for but afterwards yielded so far as to accept, in final settlement of all claims an account of the "Chera Station" and on a rent free tenure but subject to British law. Mr. Allen proceeded to mention that the Board had intended that these extra lands should be formally transferred to the Syiem in settlement of a portion of his claim but that he had no hesitation in contradicting the Syiem's assertion that the Board had promised him the sovereignty over the extra land. It nevertheless appeared to Mr. Allen that the Syiem was entitled to a formal transfer of these lands although he deprecated their transfer in sovereignty.

It appears to the Lieutenant Governor that there had been good reasons why the Syiem's portion for the sovereignty of the land held by him in excess of the quantity actually granted was deserving of favourable consideration. In the first place, this excess of land had been in the possession of the Syiem and his family for a number of years and no question had been raised as to the ownership of allowing the Syiem to retain it. Secondly, as it formed in fact the portion of the same property which had been made in 1830 to the then Syiem in sovereignty by the Government in exchange for lands at Sohra, it might be fairly argued that the excess land also, which appeared to have come into the hands of the Syiem about the same time, had been held by him on the same grounds and in the same conditions under the above circumstances. The Lieutenant Governor therefore argued that there would be no reason for taking away his property in that portion. He was, therefore, pleased to direct that the rights of the Syiem in sovereignty should be extended to the excess land in supercession of the previous orders of which, would be in conformity with the request of the Syiem.

David Scott had been authorised to adopt the necessary measures for giving effect to the experiment without delay by erecting suitable buildings and improving the approach on

the Sylhet side so as to render the buildings more easily accessible to invalids at all times. A European gentleman by the name of Fenwick was placed in charge of the buildings for superintending the first establishment of the sanatorium, until a medical officer was appointed to reside there during the year for the purpose as well as professional assistance to occasional visitors who may be desirous of trying a change of air as of making daily and careful observations of the temperature and other local and atmospheric influence which might affect the human frame.¹⁴

In this connection, David Scott's plan of giving in exchange, to Dewan Singh, Syiem of Sohra, a small estate in his land, for which it was supposed, he would willingly transfer to the East India Company his "comparatively unprofitable possession of Cherrapoonjee" was considered by the Government.¹⁵ David Scott deftly made an arrangement with the Syiem of Sohra for the acquisition of land for erecting a Sanatorium.¹⁶ Before the written arrangement was executed, perhaps a verbal agreement was arrived at between David Scott and the Syiem of Sohra. The letter states that the Syiem of Sohra was to receive as much land of the best description in the neighbourhood of Pandua as might be required by the Government on the hills for the said Sanatorium and that he was to be allowed to establish a bazar to be under his authority upon a piece of ground in the village of Mouzuh Burryaile, which he had already purchased from the Zamindar. The Syiem agreed to afford every facility towards erecting the requisite building and to give to the Government the "liberty to carry and burn" as much limestone as they might require from a neighbouring quarry. It was further agreed that the natives of Bengal committing offences within the limits of the sanatorium would be tried and punished by the Government and if, beyond it, would be delivered to the Syiem who could not however, inflict any severe punishment without the consent of the Agent to the Governor General. Agreeable to the terms and conditions, a plot of land was selected, which according to David Scott, was the most convenient for the purpose. A written agreement to this effect was therefore executed between David Scott and Dewan Singh, Syiem of Sohra on the 12th September, 1829 (No. LXXVII of Aitchison's

Treaties, Engagements and Sanads Vol. XII). David Scott realised that he had now met the friendly people of Sohra, yet he planned how he could station a "Company of European Troops" there, though the land had been given on the understanding that it was for the reception of the invalids.¹⁷ In a letter from Scott to Swinton, David Scott wrote that the presence of a European Company would create upon the mountaineers an impression of subordination to the British power.

In the same year, an agreement was also signed between Dewan Singh, Syiem of Sohra and David Scott (No. LXXVI of Aitchison's Treaties, Engagement and Sanads Vol. XII) by which Sohra acknowledged its subjection to the Company. The Syiem of Sohra promised to conduct the affairs of the country, according to usages, customs and traditions and to have no concern in such matters with any of the Company's Courts but should any person come to Sohra and commit any wrongful act in the Government territories, Dewan Singh promised to deliver the said person to the Company. Secondly, if Sohra had any dispute with any other country, the Syiem of Sohra promised to abide by and submit to any judgement given by the Government. He would not enter into any quarrel with the Syiems of the other countries without the permission of the Company. Thirdly, if there should be any hostility in the hills with the Company, the Syiem of Sohra and his Dorbar should immediately proceed there with his forces to render assistance to the Government. David Scott, on the other hand, promised to protect his territory if the Syiem of Sohra should act according to the aforesaid conditions, would dispose of and settle any dispute arising between the Syiem of Sohra and the other Syiems.

On the 19th October, 1830, another written Agreement was executed between T.C. Robertson, Agent to the Governor General and Sobha Singh, Syiem of Sohra (No. LXXIX of Aitchison's Treaties, Engagements and Sanads Vol. XII) by which the Syiem of Sohra promised to give more lands to the English, if the lands ceded by Dewan Singh for the convalescent persons were found to be insufficient. According to Aitchison again, in 1840, a perpetual lease was agreed upon by Sobha Singh, Syiem of Sohra and the hills called 'Oosider' and 'Nongkrem' pertaining to "Cherra Poonjee" where coal was discovered, would be ceded to the British Government.

For this, the Syiem of Sohra was to receive taxes from the Government at the rate of one rupee per hundred maunds. He agreed that he would never demand more than the rate prescribed by the Government and the local people (Khasis) would be permitted by the Government to work in these localities, they must work free of charge and would settle with the Syiem of Sohra regarding taxes, but no Khasi or any other person would be permitted to quarry coal in these places without the sanction of the Government nor would have the right of granting such permission to any other person.

The British Government, on the other hand, could quarry coal in the places according to the terms and conditions of the Agreement and no new objections would be entertained. The British Government also had the right to the coal in other places within the territory of Sohra Syiemship and a perpetual lease was executed in accordance with the terms of the agreement. The Sirdars of Byrung Poonjee also signed another perpetual lease of Agreement to the coal fields of Byrung Poonjee on 20th April 1840 which was later confirmed by Sobha Singh, Syiem of Sohra. In 1857, Ram Singh Syiem of Sohra made an Agreement with the Company on the demise of his uncle, the late Sobha Singh, Syiem of Sohra that

“... having taken his place as his successor and come into the possession of the Raj, I have required by the Principal Assistant Commissioner of Cherra Poonjee to furnish a new Agreement based on those given by my predecessor and as all the conditions of the engagement entered into by my predecessors, the late Dewan Singh Raja on the 10th September, 1829 and the late Sobha Singh Raja on the 19th of October 1830 are acceptable by me. I will act according to them hereafter.”

The term “Cherra Poonjee” would generally be the equivalent term for and part of Khasi and Jaintia Hills and the words “wherever in my territory” fixed the particular limitation in a sense about which there could be no dispute.¹⁸

When Assam was acquired by the Company, David Scott wanted to establish communication through the Hills with Sylhet and while the new administration of Kamrup refused to recognise the right of the Khasi rulers to encroach in the

plains of Assam, David Scott was able, by agreeing to allow Tirot Singh Syiem of Nongkhlaw to rent some lands in Bardwar to induce Tirot Singh and to persuade the other Syiems to permit a road to be made through the Hills via Sohra, Mawphlang and Nongkhlaw to Guwahati.¹⁹ To arrive at the desired objective, David Scott first threatened to annex Bardwar which belonged to Nongkhlaw State. Secondly, David Scott made use of the economic blockade, by excluding the Khasis from the frontier markets to which they were habitually resorted for the sale of their produce and purchase of grains.²⁰ This was to squeeze the Khasis economically. David Scott, however, indicated that normal trade relationship would be resumed and that Bardwar would remain part of Nongkhlaw State, if Tirot Singh, the Syiem of Nongkhlaw agreed to allow the construction or direct communication between Assam and Sylhet through the Hills.²¹ David Scott, was however, fortunate in having met Ka Ksan Syiem, mother of Tirot Singh who, according to the British had helped David Scott to materialise his plan of constructing the road through Nongkhlaw and to establish a Sanatorium also at Nongkhlaw. Tirot Singh, on the other hand, said that he would be able to give his assent only with the approval of the State Dorbar.

Arrangement for the State Dorbar was made and David Scott was asked to attend the Dorbar for which he readily agreed. Heralds were sent to all the villages for the purpose. David Scott also proceeded on the long journey. He reached the Court of Nongkhlaw on the 3rd November, 1826. David Scott was impressed with the proceedings of the Dorbar. He gave an account as follows:

“The attendance came up the hills, armed with sword, bows and quivers. The Rajah proceeded to explain the object of the meeting and requested the different orators to express their sentiments on the proposition of the British Government. The leading orators of the opposition immediately . . . commenced a long harangue in condemnation of the measure expressed in continuous flow of language accompanied with such animation of manner and appreciate gesticulation. This was replied to by an orator of the Rajah’s party and in this way the ball was kept rolling until evening. I was struck with astonishment

at the order and decorum which characterised these debates. No shouts of exultation, or indecent attempts to put down the orator of the opposite party on the contrary, every speaker was fairly heard out, I have often witnessed the debates in St. Stephen's Chapel, but those of the Cossya Parliament appeared to me to be conducted with more dignity of manners."²²

The Dorbar continued and

"Mr Scott grew rather impatient as he had been his wont with the Garrows, ordered a dozen of bottles of rum to be sent up the hill in the hope of putting an end to it. The liquor was returned with a message saying that they would not drink spirit until they had come to the point at issue. The next morning the debate was resumed, it was continued throughout the day and closed at midnight in favour of the proposition of the British Government. What the literal arguments of the orators were . . . I cannot exactly say . . . the next day the resolution of the assembly was embodied in a treaty which was concluded with the British Government and the Cossyas agreeing to aid in the construction of the road which was to pass through their territory."²³

Accordingly, on the 3rd November, 1826, an Agreement was signed between David Scott, Agent to the Governor General and Tirot Singh, Syiem of Nongkhlaw. By this Agreement, Nongkhlaw voluntarily agreed to become subject to the Company and under the protection of the English. Secondly, the Syiem agreed to give a free passage for troops through his country to go and come between Assam and Sylhet. Thirdly, the Syiem agreed to furnish materials for the construction of a road through his territories, receiving payment for the sum and after its completion to adopt such measures as might be necessary to help it in repair. Fourthly, the Agent agreed to protect the Syiem's country from foreign enemies and if he was injured by other Syiems, he would be given due support by the Company. The Syiem, on the other hand, agreed to abide by such decision and not to hold any intercourse of correspondence on political matters with any other Syiem without the consent of the British Government. Fifthly, the Syiem agreed that in the event of the Company carrying on hostilities with any other power, he would serve

with all his followers as far to the eastward as Kulliabar in Assam, his men being entitled to receive subsistence money from the British Government when employed in the plains. Sixthly, the Syiem agreed to rule his subjects in accordance with the laws of his country and the customs and traditions of the people and if any person should take refuge in his country, he agreed to seize and deliver them up.

When there was unanimity of opinion in favour of the British, the latter constructed a bungalow with quite a good number of workers. The construction of the road was immediately taken up. Lieutenants Bedding Field and Burlton were posted to supervise the construction work at Nongkhlaw. Tirot Singh helped in supplying materials for the work. David Scott, on the other hand, was attracted by the royal behaviour of Tirot Singh and his mother. For the first time, David Scott introduced potato cultivation into the Khasi Hills in 1830 and the Khasis have been so benefitted that

“no greater boon could have been conferred upon the people.”²⁴

With a view to improve the potato cultivation in the hills, the Madras Government in due course had produced and sent to ‘Cherrapoonjee’ to the care of the Principal Assistant Commissioner, 20 mds of the best Madras potato seeds for distribution to the Khasi cultivators at a low price, and this was subsequently improved upon.²⁵

The Agreement between the Syiem of Sohra and the Company placed the State of Sohra under the sovereign power of the Company and the voluntary cession of the portion of the territory of the State called Saisohpen, to the British, in lieu of Pandua, situated in Sylhet district made Saisohpen the base of military operations for the British. The station of Sohra at the same time was the only place over which the Agent exercised sole jurisdiction and the English Government had the undoubted right to interfere in any way it pleased with the administration of the villages of Mawsmal, Sohbar and Mawmluh, the first and last by right of conquest and the second by treaty.²⁶

It may, however, be necessary to examine the impact of the Agreement on the land and its people. Almost all the Agree-

ments, executed for perpetual lease according to the terms and conditions as laid down in the Agreements had coloured and changed the customary land system of the Khasis like the issue of Pattas, levy of land revenue, claiming of 'Salami' or 'Key Money' and they have been accepted as a fact of custom or customary practice rather than a change brought by the British to suit their convenience. The Khasi paper, 'U Nongphira' (November 1906) remarked:

"The first treaties with the Honourable Company in 1829 were entered into with the consent of the people and were executed by the Chiefs and the Nobles. It was not stipulated therein that the coal mines, limestone mines (quarries) would be handed over to the Government. The Chiefs themselves leased them to Mr. Harry Inglis, a servant of the Company without any condition that the Government would have any share . . . In 1858, one year after the Sepoy Mutiny, Her Majesty, the Queen Empress, after her Government had taken over from the Hon'ble Company, made a proclamation that all the treaties and engagements entered into with the Company would be respected and would not be changed. But in the year 1867, thirty eight years after 1829 and only nine years after the proclamation, the Government Servants had surreptitiously formulated by themselves another form of treaty ignoring the guarantees of the previous treaties."

Any important deliberation or any treaty could be signed only with the consent of "U Syiem bad ka Dorbar" (The Syiem and the Durbar). But the custom was evaded by the British for their own gain. There were times when the British regarded the Syiem as the owner of the lands, paying no compensation for the lands whatsoever and encroaching upon the rights of the people. It is almost needless to point out the well known fact that the Syiem and other functionaries in the State are in no sense Zamindars, for land belongs exclusively to the people of the soil, who can do as they want with it under their inherrent and customary right. Colonel Lister, Colonel Bivar, Colonel Clark witnessed this customary right of the people of these democratic States when it was still genuine and untainted.²⁷ Colonel Bivar himself writes:

“A land State tax is an unknown thing amongst the demócartic subjects of the Khasi Hills States and as regards land and rights thereto, the Syiem is just in the same footing as any individual of the Common Wealth. That is to say, that unless he can establish a proprietary right he has no authority to demand rent.”²⁸

The Pattah system is, therefore, only an innovation created by the British to suit new element and factors that have crept into with the influx of non-Khasis into Shillong. In a word, the English deftly and craftily encroached upon the rights and privileges of the people by making the Syiems as owners of land and paying no compensation for these lands to the owners. It was only in 1932 that the Khasi rulers realised that they had been fooled.

In response to the experiment made by the English officers, the Imperial Government responded as we understand from the Governor General in the minutes of the 30th May 1833:

“There is not a doubt that Cherrapoonjee is by far the most eligible site for a sanatorium that can at present be occupied but as our settlements in that region extend more, salubrious spots may be found in North East Frontier.”

In short, the British achieved its first main objective under the garb of negotiations and agreements. They had now entered the threshold of the hills. Should their policy fail, they could take recourse to military action or demonstration of their superior might. They could thus curve the activities of the Khasis from all possible quarters, if the situation so demanded. According to Mackenzie, the English officers were instructed as follows:

“Conciliate these Savages if you can. Be persistent in demanding surrendering of murderers but endeavour so to approach the tribes, that a basis may be opened for friendly intercourse in the future.”

It goes beyond doubt, any colonial power would strive to use any policy, for its benefit. The British did it, the attainment of

British paramountcy in the Khasi and Jaintia Hills became inevitable.

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10. From W.H. Macnaghton, Secretary to the Government of Bengal, to Captain Lister, Political Agent, Cossyah Hills, Fort William 30th March, 1835.
11. Letter from Captain Lister to the Secretary to the Government of Bengal, Jynteapore, 18th March, 1835.
 Rough inventory of cash ornaments and plate realised from the Jynteah Raja's treasure

(a) In sicca rupee	95,000
(b) 3000 Assam rupees equal is about	2,000
(c) Jynteah perie rupees 10,2000 valued here at 8 per sicca rupee	
(d) 5 small bags of 1000 gold Mohors	12,750
(e) 1 small bag containing 54 pieces of various coins	16,000
(f) 20 seers and 37 sicca weight/more or less of gold plate ornaments	
(g) 28 seers (more or less of silver utensils and ornaments)	
(h) 18 large and small sized gold and coral necklaces.	
(i) 61 large and small sized silver and coral necklaces and other ornaments.	
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CHAPTER IV

THE KHASI CHALLENGE

It was in good faith that the Agreement of 1826 was entered upon between David Scott on behalf of the East India Company and Tirot Singh, Syiem of Nongkhlaw. It was again in good faith that when the construction of the road was started, Tirot Singh and his people spared no pains to help in the work, but very soon, Tirot Singh realised the blunder of the Treaty. The Treaty was written in English language by the English. They did not include in it the terms favourable to Tirot Singh. Ignorant of the language, Tirot Singh was perhaps under the impression that the Treaty was between equals. As we see it, it looks like one between an overlord and a vassal, between a superior power and an inferior power.

With the progress of the road, under the supervision of Lieutenant Bedingfield and Lieutenant Burlton and the British firmly settled at Nongkhlaw, David Scott saw that he could now play the game more openly as he had planned from the beginning. The Company's men were encouraged to misbehave with the women and children, to act high-handedly in hats and bazars and to show every disrespect to Khasi way of life, customs, and traditions, thereby, to provoke the Khasis to fit and excuse to occupy their land. It is clear, Tirot Singh and his people understood the underhand motive of the British who wanted to dismantle the edifice of the Khadsawphra State. Added to this, ever since the British set foot on these hills, perhaps the Khasi States must have understood that there was something strange when the first treaty of the Khasi Syiem was signed with the East India Company in

1824. When David Scott coaxed Tirot Singh to come to an Agreement, the ruler of Khadsawphra and his people must have sensed an apprehension of the impending danger, otherwise, there would not have been the pledge, by licking salt. According to Khasi custom, if a person licks salt, one should say or do as one has pledged. This is honour and faith to a Khasi. But in course of time that "faith and honour" that the Khasis had on the English was lost.

The first Khasi Syiem to have come into an encounter with the British was Bor Manick, Syiem of Shyllong or popularly known to the English as the Syiem of Khyrim. Since time immemorial the Syiem of Shyllong had territories in the plains over which they exercised their sovereignty. One of these was Dimuria or Doomoreah. Bor Manick appointed a Basan over it, who owed allegiance to the Syiem of Shyllong. But the British claimed it. In 1828, Bor Manick marched to Dimuria or Doomoreah to seize the revenue collected by the revenue officials of the East India Company.¹ This was the first challenge of the Khasi ruler against the East India Company and it prepared the way for the "Khasi Challenge" against the British which led to the brutal Nongkhlaw Massacre in April 4, 1829.

Coming in contact with the resistance from Bor Manick the English lost no time in understanding the impending confrontation from the Khasi States, which they thought to be too insignificant in comparison with their mighty power. Now they understood that the strong confrontation was inevitable. They left no stone unturned to trap the Khasi rulers either through force or shrewd diplomacy. They called upon the Syiem of Sutnga, who was bound to the Company by the treaty of 1826, to come to the rescue of the English against Bor Manick. Tirot Singh found it hard to accept, because, in the first place, Bor Manick was a very close ally of Tirot Singh and secondly, Tirot Singh became aware of the "divide and rule" policy of the English. This consequently and undoubtedly encouraged the Khasi rulers to rise up to the occasion.

In the meantime, a tussle ensued between Tirot Singh of Nongkhlaw and David Scott over the possession of Bardwar, which was promised by David Scott to Tirot Singh before the

Agreement was signed. Again, the Agreement of 1826 assured that the Company would come to help Tirot Singh, if he was attacked by another State or foreign power. Tirot Singh found that he had been deceived. Contrary to the terms of the Agreement, Tirot Singh was betrayed by the British when they not only refused to come to his aid but openly helped the Rajah of Rani against Tirot Singh in his dispute with him. The breach of the "solemn pledge" brought the Khasi rulers to a united stand. With an indomitable will and a heart that knows no defeat, they pooled their resources to face the peril of the conflict, no matter what the cost might be. Tirot Singh and other rulers could hear the cry of freedom day by day. Tirot Singh could feel the pathos for the women folk of Khadsawphra. It is the duty of the Khasi man to guard the "honour and the chastity" of the women. Saturated with the arrogant behaviour of the English Officials, he was determined to crush the alien power. On the other hand, the English were also determined to dethrone and subjugate him. Tension and fear spread like wild fire. The embers of the Khasi Movement which kept simmering for quite some time, flared into a conflagration by a simple spark. Mackenzie attributed the insulting remark of a Bengali peon as the last and immediate spark of the movement. But it may be borne in mind, that this incident was just an eye wash. The real factor responsible for the movement was the perfidy of David Scott himself. The interference of the English in the territories of Tirot Singh in the plains, the treachery of David Scott in helping the Raja of Rani against Tirot Singh, the misbehaviour of the English soldiers towards the women and children, all these were insurmountable abuses which were well nigh intolerable to the people. To restore the honour of the people was to drive the English bag and baggage, just as they had come, they should also go. This meant war.

According to local sources, messengers were sent to all Khasi rulers to warn them of the trap of the English. The appeal was taken to heart by all though there were some States which feared to come out openly. An urgent secret meeting was convened on the 1st April, 1829.² It was unanimously decided that the English garrisons should be attacked and crushed. With bows and arrows, spears and shields,

the Khasi warriors suddenly attacked the English garrison which was heavily guarded by Lieutenant Beddingfield and Lieutenant Burlton on the 4th April, 1829. Caught unaware, Lieutenant Beddingfield and some of his men were hacked to death on the spot. Lieutenant Burlton and some of his sepoy tried to make their escape to Kamrup but Burlton, wounded, weak and exhausted succumbed to his arrow injuries the next day. Very few of the sepoy could reach Assam. This was the "Nongkhlaw Massacre" which exhibited the martial spirit of the Khasi warriors, who, with their traditional war equipment bravely marched to do their duty. This incident was followed, according to the British, by a general Confederacy of most of the neighbouring Syiems and rulers to resist the British.

The Imperial Government explained the Nongkhlaw Massacre as a treacherous and an inhuman act:

"... which does not appear to have been the result of any immediate provocation and the most probable explanation seems to be, that the jealousy of the Cossayahs had been exerted by the steps which we were taking to establish a frequented road through their country and to form sanatory establishments within it... they had also reason to complain of the insolent tone and oppressive conduct exhibited on the part of the inferior officers and servants belonging to our Establishment at that time..."³

The English looked upon the Nongkhlaw uprising as the signal of an almost universal rising among the Khasi rulers. On a review of the events, there had been a feeling, even among the British that the conduct of the officers under David Scott were much to be regretted and something to be blamed. They presumed that David Scott and all the officers under him must have been completely misinformed of the general disaffection, otherwise such an occurrence should not have taken place within so short a time.

It is however an irony of history that David Scott should have left Nongkhlaw for Sohra before the massacre took place. We are told that as soon as David Scott received a hint from Ka Ksan Syiem, Tirot Singh's mother, David Scott hurriedly left Nongkhlaw. She was perhaps, attracted by his royal

behaviour and the motherly affection must have made her feel sorry for David Scott to die, thus she is said to have betrayed her son. There is also a possibility that the English should have given a distorted picture of Khasi womanhood to degrade the society.

David Scott has been accused of 'cowardice' by some writers leaving his two comrades to die a miserable death. Gait writes that David Scott had "a very narrow escape" leaving Nongkhlaw for Sohra only short time before rising. Lahiri bears out the above view when he wrote,

"But happily for Mr. Scott and his followers, succour came almost immediately from the Sylhet side. Captain Lister advanced with all speed towards Cherranpunjee on receipt of the news and save Mr. Scott and his followers from the fate which had befallen Captain Beddingfield and his party. . . ."

Whatever might be the case, the massacre of Nongkhlaw was

"a terrible shock to Scott. He not only lost two very valuable officers but now also began to fear that the incident might induce the Government to suspend proceeding regarding the Sanatorium. He also feared that after the terrifying event the wives of the European officers would not fancy visiting the hills. He became revengeful when he came to know the details of the cruelties meted out to his friend, Beddingfield and Burlton."⁴

Bor Manick Syiem of Shyllong had always been a close ally of Tirot Singh of Nongkhlaw against the English. He had his own reason of enmity towards the English over the Dimuria incident. In fact, Bor Manick was the first Khasi ruler to strike the English. Tirot Singh and Bor Manick and later Sngap Singh responded to the call. They are said to be the backbone of the Khasi movement against the British. The struggle extended from Bardwar to Beltola to the north, from Lyngkhat to Majal to the south.

Perhaps we may fail in our duty, if Bor Mancik is left outside the purview of our study as he also played a very formidable role in the movement against the British. We may

note that few writers and historians have come to realise the contribution made by Bor Manick, Syiem of Shyllong. Even the English realised the power, the confidence and the art of war adopted by him. Local tradition tells when Bor Manick carried on the war, his distant nephew, U Singh Manick was asked by Bor Manick to take care of the administration of Shyllong State in his absence. Though Hajar Singh was his nearest nephew, yet, Singh Manick was taken into confidence because he was more trusted and more intelligent. Some of the fierce battles which were fought by Bor Manick and his men were at Beltola and Myllem.⁵ Their war equipments were inadequate, however, they faced the challenge courageously at a place called Mawkylla after some fighting. At last the rifles of the British overpowered the bows and spears of the Khasis. They were forced to return back to take recourse to guerilla tactics. Bor Manick was later captured at Laitkroh, which lies, between River Umiam Mawphlang and Mawreng village. There is a cave which is called till today "the cave of Bor Manick." Till 1830, Laitkroh and Laitlyngkot were still under Bor Manick.⁶

Bor Manick was thrown into prison but was released, soon after, on condition that he would abdicate his throne in favour of Singh Manick, who undoubtedly supported the English and in the words of Pemberton

"The friendly negotiator, Singh Manick denounced Raja Bur Manick"

Bor Manick, to the eyes of the British, though not the Chief Instigator as Tirot Singh, was one who

"... had not only originally counselled the atrocious massacre at Nongkhlaw but had ever since secretly prevented the spirit of dissatisfaction."

When Bor Manick was captured and imprisoned, the English must have thought that this would be a warning to the other Syiems to submit to the English paramount power. Bor Manick was thereafter released and forced to execute an agreement with the East India Company on the 15th January, 1830 (Aitchison's Treaty No. (XXXVIII)).

By this treaty, it was agreed that in consequence of his having made war with the British, thereby causing considerable losses to them, Bor Manick acknowledged the supremacy of the English. He agreed to cede to the English, the lands he formerly held on the south and east of the Umiām river and he promised not to interfere with the people residing on these lands without the order from the Agent to the Governor General. Secondly, he agreed to hold the remaining portion of the territory as dependent territories and to conduct the affairs over these territories in accordance with the norms and customs of the people. But he was not given the power to pass order in any murder case without the permission of the Agent of the Governor General. In other words, his judicial power has been curtailed. Should a case occur, it should immediately be reported to the English. Thirdly, when the English troops should pass through his territory he should furnish them with such provisions produced by his territory. Bridges should be constructed and the expenses paid for by the Syiem so that the troops might not be put to any inconvenience. Fourthly, if any Khasi Syiem made war with the Company, he would join the Government troops. Fifthly, he should relinquish his former claim regarding the boundary of Desh Doomorooah and agreed that the Adde Nuddee would be the future boundary. He would, however, be assigned some land near the Sonapur market for the purpose of trade. Sixthly, he should agree to pay a fine of Rs. 5000 to the Company on account of the expenses incurred by the Company in the subjugation of his country. Lastly, it was agreed upon that if Tirot Singh or any Khasi Syiem, who was a friend of Tirot Singh should enter his territory he should immediately apprehend them and deliver them up and he should promise to produce all criminals who would come and take refuge in the country from any place in the Honourable Company's dominions.

We do not have adequate materials to tell us that Bor Manick died in 1833 or that his rule ended in 1833 or 1853. Some scholars say that he died in 1833, some say that he fled to Tibet for military help against the British, from where he never returned back. Jor Manik Syiem says that his rule

ended in 1853 after which Hajar Singh became the next Syiem on the 27th September, 1853.⁷

In the first place, the English records made no mention of the sad death of Bor Manick in 1833. Secondly, we may however deduce some logical arguments in the light of the agreement executed between Sngap Singh of Maram with the East India Company in 1839. The last clause of the Agreement states,

“That I give Chand Manick Rajah and Bor Manick, Rajah of Moleem Poonjee, as my securities for the fulfilment of the terms of this Agreement and I also placed in Moleem Poonjee my nephew, Soolang Rajah, who will carry out all order that may be given at any time regarding my country.”

If Bor Manick died, or was executed or was shot dead in 1833-34 during the same time when Tirot Singh was taken to Dacca, Soolang Syiem, nephew of Sngap Singh of Maram would not have been kept in Myllichem, for whom Bor Manick and Chand Manick could be his (Soolang) bailer. This view may, however, be corroborated by the letter written by T.C. Robertson, Agent, to G. Swinton, Chief Secretary, Fort William, which runs as follows :

“Bordering upon Singh Manick’s dominion and forming a part of the province of Khyrim stands that of Bur Manick, a large land from what I saw of it near Mulleem, I should say for the hills, a fertile tract of this territory was reserved to the Government when Bur Manick, after having been carried as a prisoner to the plain was restored by Mr. Scott to a portion of his former possession. The disposition of this Chieftain is decidedly hostile and I reckon upon it as probable that we shall have to treat him as a foe.”⁸

Thirdly, if Bor Manick died in 1833, there would not have been the proposal to restore the land on the south and the east of the Umiam by the British to Bor Manick (Aitchison’s Vol. XII, p. 224–226).

According to Aitchison, in 1860 the chief men of Myllichem presented a petition against their Syiem, Hajar Singh who

had succeeded Bor Manick. Hajar Singh had become extremely unpopular with the people because he had violated the customs of the country. He had also given himself up to drinking and many a time he was always with his wife and children at Sohra.⁹ Jor Manick is of the opinion that some charges levelled on Hajar Singh might be of weight while others might not be. However, there was a possibility that Hajar Singh often went to Sohra (Saitsohpen) to meet the English officers there. Perhaps, the English were not in favour of Hajar Singh because he was the close nephew of Bor Manick, the enemy of the English. The grudge of the English against Bor Manick is very clear from the clauses of the Sanads that Myllem was placed under "Minor Dependent States" whereas smaller states like Langrin, Nongspung and others were Semi-Independent States. The arguments above may explain the possibility that Bor Manick might have been Syiem over Myllem even after 1833 till 1853. It is presumed that if Hajar Singh had to vacate the throne in 1861, he was the Syiem of Myllem only for a period of eight years.

Lastly, during the Political Agency at Sohra (1835-53) we come across the name of Bor Manick many times in the letters to and from the Government. Bor Manick may be the last Syiem of Shyllong State and the first Syiem of Myllem State. Dr. H. Lyngdoh subscribes to the view that Bor Manick was the Syiem of Myllem till 1853 after which Hajar Singh became the next Syiem.

To go back to the Khasi struggle, Captain Lister commanded the 44th Sylhet Light Infantry from Sylhet side and Lieutenant Vetch commanded the 43rd Assam Light Infantry from the Kamrup Side. Jidor Singh, the maternal uncle of Tirot Singh defended strongly. Therefore, Lieutenant Vetch could not proceed beyond Jirang but had to retreat to the plains.

Captain Lister, however, was aware of the danger which threatened David Scott. He hurriedly went to Sohra to rescue him. Dewan Singh, Syiem of Sohra had been an ally of the English who had given shelter to David Scott. He had also entered into an Agreement with the English. Captain Lister and David Scott both marched to Nongkhlaw to avenge the assault of the Khasis on the English "The Cossyhs", according

to the English "conscious that they had violated every pledge, they were suspicious of every pacific overture." Pemberton gave a description of what Captain Lister did, who with

"... a mere handful of men, drove these Cossyachs from post to post, stormed their entrenchments, penetrated into their caves and fastnesses and by the rapidity of this movement and the boldness of his assaults, so completely destroyed the confidence in their own process with which they commenced the contest that they latterly confined themselves to attack upon small parties of five or six individuals for whom they lay in ambush, and rarely ventured to content openly with any detachment, however, inferior to them in numbers."

It is, however, a tragedy of Khasi history that Tirot Singh and his confederates should have tasted a bitter pill from some of the Khasi Syiems who, instead of coming to the common fold against the common enemy had gone to the side of the enemy. David Scott made a statement.

"I have taken upon myself to offer indemnity for the past the outlaw chiefs upon their making their submission, but in consequence of distrust and some indifferences among themselves and owing to the dilatory manner in which everybody is at liberty to take a part, nothing yet has been decided although this advantage has been gained that the outlaws are themselves decided into two parties."¹⁰

Deprived of the force of some of the Khasi States like Sohra and Rani, the cause of the struggle was however, weakened. Yet, the Khasis had faithful patriots like Lorshon Jarain, Khein Kongor and others who changed the tide of the struggle. Muken, Sohbar, Wahlong, Pamsangut, Mawdon Shella and Dwara Nongtyrnem, Mawmluh and Mawsmal were captured by the British in spite of the heroic defence of Muken Singh and his men. Undoubtedly, the treachery of the Syiem of Sohra added more strength to the military headquarters of the English at Sohra. Though Scott wrote of the Khasi warriors as "arrant cowards" who with their bows and arrows "were entirely useless when opposed to our arms..." yet, the gallant spirit

displayed by the Khasis in defence of Mawmluh deserves praise of the highest order. Hooker wrote of the Khasi warriors who died gallantly and

“... their bodies thrown down the ridge”.¹¹

One state after another succumbed to the English military power. Shella was captured. U Suk Syiem of Wahlong fell in the battlefield. Mawdon surrendered. Sohbar and Dwara Nongtyrnem were captured.

In the heat of the war, a treaty was concluded between Dewan Singh, Syiem of Sohra and David Scott, on behalf of the East India Company on the 12th September, 1829 by which Dewan Singh surrendered Saitsohpen in exchange of Pandua. It became a base of military operations for the British. Not only that the treaty had its military advantage for the English but as the Land Reforms Commissions for the Khasi Hills 1974 states:

“The conquest and occupation started from 1829... the British treated Saitsohpen as their own territory denied unilaterally the right of the people over the land and obliterated their administrative and judicial system within the Elaka. They issued Pattas to the people and levied land revenue from them. The Agreement entered between the Raja of Myriaw and the British in 1829 after his territory had been invaded and taken over by the British did not contain any clause under which the Syiem had to cede to the British or that his judicial powers be curtailed.”

The Khasis decided to press but in the meantime, Bor Manick of Shyllong was trapped, imprisoned though later released and forced to sign a treaty with the English in 1830, the provisions of which were to the advantage of the English. Not content with this, the English on realising the force of Bor Manick made full use of their “divide and rule policy”. The English managed to play fast and loose with the “Bakhras” of Shyllong State by bringing in a split among them (the Bakhras) which finally bifurcated the Shyllong State into Khyrim and Mylliem. This was another strong factor which went a long way in weakening the cause of the

struggle against the English. The role of Bor Manick in the Khasi struggle against the English deserves respect and admiration. He had to become the scape goat at the altar of the struggle, he had to pocket many an insult, even from his own blood, Singh Manick, in whom he had placed trust and faith. With regret and bitterness, he had to see with his own eyes that his State should be smashed and divided to serve the interest of foreign rule.

Pemberton wrote of "a most serious assault made by the Chief of Ramryee (Rambrai) on the 5th January, 1831. According to his statement, Jibor Singh, the Syiem of Rambrai submitted to the British in October, 1829 but was murdered a year after in November. The reason of the murder might be due to his submission to the British or the result of a conspiracy to usurp the authority. Rambrai, in 1831 heavily assaulted the three Doars in the plains and this attack has been taken to be "the most serious that had taken place since the catastrophe at Nongkhlaw in 1829." Rambrai was then invaded by British troops. A heavy fine was imposed on Rambrai and an agreement was forced to be signed.

David Scott was failing in health. We understand of his poor health from his personal letter written to George Swinton, Chief Secretary of Government:

"I arrive here the day before yesterday in hopes of obtaining some relief from the distressing symptoms I have been labouring under the last four or five weeks . . . I cannot sleep I am troubled with frequent sickness at stomach and am exhausted with the least exertion."

Yet, in July 1831 he had to proceed from Nongkhlaw to Sohra where a month after on 20th August, 1831, David Scott breathed his last. David Scott died in harness. He was buried at Sohra and a monument was erected on which is inscribed:

"In memory of David Scott, Agent to the Governor General of North East Frontier of Bengal and Commissioner of Revenue and circuit in the District of Assam, North Eastern part of Rungpore, Sheepore and Sylhet, died 20th August, 1831, aged 45 years 3 months. This monument is erected by order of the Supreme Government as a public and lasting record of its consideration of the deceased

and its estimation of the eminent services rendered by him in the administration of the extensive territory committed to his charge. By his demise, Government has been deprived of a most zealous, able and intelligent servant whose loss it deeply laments, while his name will long be held in grateful remembrance and veneration by the native population, to whom he was justly endeared by his impartial dispensation of justice, his kind and conciliatory manners and his constant endeavours to promote their happiness and welfare."

T.C. Robertson, the successor of David Scott was determined to end, "the wretched warfare" as he called it. Yet, the war dragged on for some time more. In this connection, mention may be made of the daring exploits of khasi women like Ka Phan Nonglait, Ka Phet Syiem and others. More surprising was the gallant patriotic service rendered by Monbhut. Pemberton calls him:

"The most daring and successful leader among the Cossyahs and whose unconquerable spirit tended to perpetuate a contest from whose almost every other had withdrawn in despair was originally a slave to the Raja Teerut Singh but had risen by the force of innate courage and great personal prowess, the considerable distinction among his comrades, and though frequently defeated as constantly renewed the contact in some spot far remote from the scene, of his recent disaster. With inconceivable rapidity he traversed his native mountains in every direction, wherever there appeared injury on his powerful foes, descending as we have seen, even to the border villages in the plains where his very name struck terror to the hearts of their timid inhabitants."

We are told that new military techniques and strategies were designed and the help of friendly states was enlisted. The normal life of the people became depressing day by day. Most of the Khasi States were forced to submit, some were trapped, while some were won over through friendly agreements. Even Monbhut surrendered in October, 1832 to Lieutenant Townshend then commanding at Nongkhlaw.

Almost alone on the scene, Tirot Singh proved to be a patriot of "a very high order" as the English called him. It was difficult to make him submit, it was difficult even for the other Khasi rulers to betray him or to surrender him to their enemy. Though the English must have branded him that he found a "temporary assylum among the different chieftains, whose feelings of honour prevented their surrendering him to the British Government, yet the Khasi struggle speaks volumes of "Khasi Patriotism."

Robertson, finding it hard to stream roller the last hurdle, tried to adopt conciliatory measures, but were found to be inadequate. The "economic blockade" was taken to be the next effective instrument to arrive at the desired objective. The Khasis were thus squeezed from the most tender point, trade between the hills and plains was suspended, local markets were closed down, the slow and gradual starvation of the people completely deadened the situation. It was here that the English thought of a negotiation with Tirot Singh. Singh Manick of Khyrim offered himself to be the negotiator. Pemberton writes that on the 19th September, 1832, Captain Lister and Lieutenant Rutherford with a party of thirty sepoy were deputed by T.C. Robertson to go to Singh Manick for the purpose of negotiating for the surrender of Tirot Singh. The latter refused to meet the English officers anywhere except at the residence of Sing Manick. On the 23rd September, 1832, the first interview took place but to no effect because the English could not accept the proposal of Tirot Singh that his country should be restored and the line of road which had been cleared through his territory should be abandoned. The next day, just as the deputies were about to return to Sohra, Singh Manick managed to arrange for another interview with the Myntries of Tirot Singh, Man Singh and Jeet Roy. Nothing substantial emerged out of this, though the deputies learnt from Man Singh

"... that they were tired of opposing us, but that their fears of our wrath, the despair of some of the most hot-headed among them and exaggerated ideas of our implacable enemy, kept up by the Cherra and other interested parties, deterred them from coming in."

Though the discussions could not produce much, yet the English officers were "satisfied that Singh Manick was sincere in his intention". Secondly, the British felt that it would not be advisable to place much reliance on Tirot Singh, but an arrangement might be made for a peaceable adjustment of differences with his followers. Thirdly, it was expected that a schism among the Khasis might be effected after witnessing the good faith of the English. Fourthly, the English officers were convinced should hostilities be renewed, the interview had afforded an opportunity of observing and again recognising the countenances of Tirot Singh's followers. Lastly, the English officers were certain that the Khasis were enabled to continue their opposition by the people of Sohra and other friendly states from whom they obtained supplies.¹²

On the 20th October, 1832, the same English officers were deputed for the second time to Nongkrem to negotiate on the following terms:¹³

1. Teerut Singh to be given up on an assurance that his life would be spared; but with no other condition whatever and to be dealt with as the Government might direct.
2. In the event of his being so given up the confederate Rajahs were authorised in confirmity with the customs and usages of their tribe, to select a person to occupy his place and a promise that the election would be sanctioned by the British Government, and the person selected be confirmed in all the possessions, and privileges formerly enjoyed by Teerut Singh, subject only to such modifications as might be subsequently noticed."

Added to this, full amnesty would be given to the other Khasi rulers on terms and conditions laid down by the English. This negotiation however, failed.

Time passed and Tirot Singh, according to the version given by Pemberton, was no longer able to "elude the vigilance of his pursuers, renewed his overtures for surrender, and on the 9th January, 1833, deputed Jeet Roy, his confidential Muntree to treat with Mr. Inglis who commanded the post of Oomchillong (Umshyllong). The English had promised, by eating salt from the blade of the sabre, according to Khasi custom, that the life of Tirot Singh would be spared.

Thus, the 13th January, 1833 was the day fixed for the surrender of Tirot Singh, the place to be named two hours before the meeting and Tirot Singh and Mr. Inglis to be each attended by only two unarmed servants." Tirot Singh came escorted by a party of 30 bow and spear men with 11 musqueteers, Pemberton narrated. According to some Khasi writers, Tirot Singh came only with two men as promised. But Inglis had thirty bow and spear men with eleven musketeers. All these, perhaps, were dressed in Khasi dresses and some were trained in "surprise attacks." It may be argued that if Inglis came with only two unarmed men Tirot Singh would have counter attacked them if he was attacked by them. But the truth was, the thirty bow and spear men and 11 musketeers were hiding behind and suddenly attacked Tirot Singh.¹⁴ To allay the suspicions of Tirot Singh, Mr. Inglis once again repeated his pledge by eating salt. Contrary to the oath, "the English betrayed Tirot Singh, he was captured through treachery, conveyed to Mairang from where he was taken to Guwahaty in Assam and eventually confined in the jail at Dacca. Tradition tells that when he was given a trial, "he preferred to die a common man rather than rule as a slave king." Under the agony of mental torture and physical pain, his last wish was, if he should die, his bones should be carried home to be with the bones of his ancestors under the cromlech in his own Hima.

Speaking of the death of Tirot Singh of Nongkhlaw, David Reid Syiemlieh had the privilege to visit the India Office Library and Records, London and he came across a Government letter stating the date of Tirot Singh's date of death as 17th July, 1835. Though the above date of death has not yet been accepted by some local people for quite a number of reasons, yet we may suffice ourselves for the time being that the date of Tirot Singh's death may be as stated in the Government letter. The same scholar also writes that Tirot Singh's status as "Chief of the native State was not as an ordinary prisoner, as based on the following lines written just before Tirot Singh's death:

"Teerut Sing enjoys not the Dacca Jail, but a comfortable house, with 30 rupees per mensem, a palkee at command, and liberty to go whenever he pleases, subject of course

to the indispensable accompaniment of a sentry.”¹⁵

Perhaps it may shock the Khasi people to learn that Tirot Singh enjoyed ‘a comfortable house’ and ‘a palkee at command.’ So long the Khasis have been made to understand that he suffered the agony of being a prisoner at Dacca. Songs and dramas have been written in his honour, for the feeling and pathos they share with the great hero. Yet if he had enjoyed a comfortable house, if he had a palkee at command, does it not contradict the traditional belief of the Khasis that,

“He preferred to die a common man rather than rule as a slave King?”

It may be not out of place to say that it was Bor Manick who was the first Khasi Syiem to strike the British, it was Bor Manick again who had to face the bitter bifurcation of his own hima, the Shyllong state into Khyrim and Myllem, just because he happened to be a formidable enemy of the British, yet, it was Tirot Singh again who heard the cry of freedom, it was Tirot Singh who defended the children and women of Khadsawphra. One wonders, why he accepted “a comfortable house,” and “a Palkee at command.”

Rajen Singh, nephew of Tirot Singh was installed on the throne on 29th March, 1834 on the conditions prepared and submitted for the approval of Government by T.C. Robertson. Agent to the Government.¹⁶

1. “That the British Government shall have the right to carry a road in whatever direction it may think proper across the whole extent of country, lying between Sylhet and the plains of Assam.
2. “That the Government shall be at liberty to construct bridges and to erect halting bungalows, stockades, guard rooms or store houses, at any point along the line of road.
3. “That the Raja and his Muntrees shall engage to furnish as many workmen as shall be required, to assist in the completion and keeping in repair of roads and other works, above detailed.
4. “That the Rajah and his Muntrees shall engage to furnish on being paid for the same, the under mentioned articles, for the use of any establishment, which Government set on

foot at any place within the country ceded to him; timber, stone, lime, firewood for building, and such other articles as may be procurable in the country.

5. "That the Rajah and his Muntrees shall engage to furnish grazing land, for as many cattle as Government may deem it necessary to keep on the hills, the Rajah and his Muntrees to be responsible for the proper care of such cattle as may be sent to graze on their lands.
6. "That the Rajah and his Muntrees shall engage to arrest and hand over to the British authorities any person accused for committing an offence within the limits of any British post, and to assist, in apprehending any convict or other person, who shall abscond from any of these posts.
7. "That the Rajah and the Muntrees shall engage to pay such fines as may be imposed upon them by the Governor General's Agent, for any breach of the proceeding conditions, of which they may be convinced."

Another article was also inserted by Captain Jenkins:

"On condition of Rajun Singh agreeing to and fulfilling the several articles already stated, the Government promises to continue his stipend of thirty sicca rupees per month for one year after the date of this agreement, which will tend to settle his country in a quiet and comfortable manner. The above (30) thirty rupees being given to him for his support."

With the fall of Nongkhlaw and with the annexation of the Jayantia Parganas in 1835, the British thought that all encounters must have been quelled, but the scene of the struggle could still be seen. Sngap Singh of Maram continued the struggle for four years more till he was forced to surrender in 1839. Bareh, however, writes that the chief warrior of the Khasis was U Phan Maram but due to treachery he was finally captured and shot. Tep Shiak and Moit Kliaw, his followers who operated at Nongnah, fell victims to treachery. U Sngap Singh had continued to resist Government occupation of his country since the days of Tirot Singh. But in 1839 Sngap Singh was forced to enter into an Agreement with the English by which he agreed to the terms and conditions laid

down by them and within one month of the agreement being signed, he agreed to pay a fine of Rs. 2,000 to the English, for the offences he had committed.

In Jaintia Hills the people were left very much to themselves from 1835 to 1855. The Dolois heard all civil cases and all criminal complaints not of a heinous character in which only the people of their own villages were concerned. No taxes of any kind were levied throughout the hills, the only contribution required being the annual offering of a he goat from each village which had been exacted by the "Jaintia" Raja. The Political Agent appeared to have done little than to confirm the election of the Dolois or Heads of Districts. The people were well-content with the state of things.¹⁷

On the retirement of Colonel Lister in 1854, the charge of the hills was re-transferred to the Commissioner of Assam and the Assistant Commissioner. Hudson was deputed to discharge, under his supervision, the duties, hitherto entrusted to Colonel Lister and his Assistant, Lieutenant Cave.¹⁸ It was during this period that the interference of the people of Jaintia became more frequent. But in 1855 when a Police Thanah was established at Jowai, it made the people apprehensive of the motive of foreign rule. This apprehension showed signs of uneasiness among the people who had hitherto remained content and quiet all along.

It would be necessary, therefore, that a careful examination be made as to the factors responsible for the outbreak of the struggle of the 'Pnars' against the British. The struggle has been referred to by the English as the "Jayantia Rebellion." Yet many scholars regard it as an effort of the people, an exertion, a resistance not against their own Government but against a foreign rule. In a word, it may be said that the struggle had been a series of efforts made by the Pnars of Jaintia against the British, it was undoubtedly an offshoot of the movement against the English (1829-1833) though it took some years more to take a complete shape. They began to reason why they should be denied the right of entering into subsidiary alliance with the English as their brothers had. When the feeling against the English got accumulated, the movement gained momentum, in short, to strike a blow and to fight back the forces of foreign political domination.

Major Rowlatt, in pursuance of the instruction received from Colonel Jenkins, took charge of the Cossyah Hills till the return of Shadwell from the interior after which, Rowlatt would proceed to join his troops through the Jaintia Hills.¹⁹ When Major Rowlatt took charge at the close of the partial struggle in 1850 he realised that the movement had been formented by the ruler of "Jaintia" and that he withdrew himself from the disturbance he had caused when he found the movement was imminent. In a word, the English found the Pnars as

"an excitable race who might be easily led into disturbances through the influence of their former ruler."²⁰

Among the varied factors, there was a general tendency for independence and a general desire to uphold the rich cultural heritage of the land. The Government had received credible information that the former ruler of "Jaintia" had commenced intriguing with the Dolois and village elders of Jaintia Hills with a view of bringing about his restoration to his territories in the plains. Major Rowlatt accordingly wrote to the Magistrate of Sylhet requesting him to prevent the people of Jaintia to put their designs in carrying off the ex-ruler of Jaintia into effect. The same letter states that the "Jynteah Cossyahs" had been purchasing arms and ammunition from the dealers in the plains. Therefore, it was suggested that the sale of such articles to the Jaintias should be prevented. Added to this, Major Rowlatt made a suggestion to the magistrate of Sylhet that all communication between the ex-ruler of Jaintia and the Cossyahs of the Jaintia Hills be put a stop to and that a watch be kept that no intriguing should go on between them.²¹ The ex-ruler of Jaintia was directed to return to his residence. He was also warned that he would entail serious consequences upon himself if he interfered directly or indirectly with the affairs of the Jaintia Hills territory. The Magistrate of Sylhet, however, assured that he had nothing with any of the parties involved with the movement but for the British it was thought necessary that he should be at Dacca rather than at Sylhet.

On the other hand, there was a great resentment over the limitation of the term of office of the Dolois and the limitation of their judicial power.²² Besides, the annexation of the

Jayantia Parganas in 1835 caused great resentment among the Dolois. They were not as yet reconciled to the transfer of their territory to the British Government, and they objected to it being placed under the jurisdiction of a foreign power without their own consent. The ruler's authority over the people was merely nominal, he received from them no revenue and only certain dues which were of little value.²³

The "venality and injustice" of the English Courts and the English officials was another nail in the coffin. The distance of the Sohra Court, the increased litigation or the intrigues of native pleaders, the cost and delay in civil justice, all these added to the discontent of the people.

T. Jones observes,

"... All are loud in their complaints of corruption and bribery prevalent at the Cherra Court and I know that the Jynteahs must have felt more from this ... with but very few exceptions, they did not know a word of the court language and they were all as ignorant of the law as anybody could, and of course they were entirely dependent on and at the mercy of the Native Officials who did not hesitate to grow rich at their expense. The people say we can do nothing, every case is lost unless we give bribes, and I believe, there has been all along and that there is still a good deal of foundation for these complaints."²⁴

The people had become very sensitive at the destruction of the sacred groves and the desecration of sacred pools. Besides, the conduct or conversation of the native Christians hurt the religious sentiment of the people who still upheld their traditional religion. They were deeply grieved when the cremation of the dead was prohibited by the English officials to be done in a place, usually used for the purpose for generations together. The English objected on the ground that the people of the neighbourhood complained of the stink and that sickness was asserted thereby.²⁵ In one of the letters, Colonel Haughton states,

"On 13th November, 1856, the Dorogah of Jowai reported that the sepoy's of the guard had objected to the burning of dead bodies at a burning place near the lines newly con-

structed and had applied to him to compel the people to abstain.”

The Dorogah solicited orders. The Assistant Commissioner, Mr. C.K. Hudson, directed the Dorogah to enquire whether it had been customary to burn in the place referred to and whether any particular superstition was attached to it. The Dorogah called upon the Elders of Jowai to state their views. They replied that the burning place was a very ancient one and that the usages and feelings of the people would be outraged by its suppression. After receiving this report, the Assistant Commissioner, Mr. C.K. Hudson directed the suppression of the burning place. Major Rowlatt, thereupon, passed a summary order that the people of Jowai were in future to burn their dead at a place he named some distance from the village and the police were directed to apprehend and send in any one infringing the order. This, beyond doubt, was excessively offensive to the people of Jowai. T. Jones remarked on this that the progress of enlightenment, no doubt, had the effect to frighten a few of the most bigoted and superstitious. When the native Christians became “enlightened” they had no more veneration for their sacred pools and their sacred groves. In addition, the conduct of Solomon, a native Christian had been attributed to have added more fuel to the flame of religious sentiment. It has also been alleged that it was one of the reasons for the outbreak of the ‘rebellion’. But according to Lieutenant Colonel J.C. Haughton, the Officiating Agent, Governor General, North East Frontier:

“The only act charged against him (Solomon) connected with or arising from his change of creed, the destruction of a monkey, would in my opinion, have attracted little, if any, notice, but for the duty on which he was engaged, and though this act has been mentioned as a cause of the first outbreak of several witnesses it probably had little or nothing to do with the matter I have heard it attributed to Solomon that he gave out that parents not sending their children to the schools would be fined, but this has not been alluded to by any of the witnesses examined.”

T. Jones wished to clarify some doubts as to the idea that the native officials, whose conduct he considered to have been one of the principal reasons of the 'Rebellion', were native Christians, Solomon was once a professing Christian but was excommunicated in the early part of February 1862 when the first tangible proof was obtained of his having taken bribes.²⁶

Major Rowlatt found that the people of Jowai had always been arranged at the military guard being removed from Amwai to their village. The fact was that the people of Jowai asserted that as soon as the guard was stationed at Jowai then a school was established. The Missionaries began making converts, the former worship of the people was decried. The above letter states that some of the Christians were in the habit of taunting the rest saying that they would soon have to give up their "Old Poojahs" and become Christians. It was reported, however, that a parcel of land which belonged to the priestess of Jowai, lately deceased, had been cultivated by the Christians. Major Rowlatt was of the opinion that,

"The leaders of the rebellion merely wanted some pretext for breaking out, and that mixed and various motives led the people to join them, some from impatience of taxation others from a suspicion that their religion was in danger, which view of the case is, I think corroborated by the fact that different persons assign various reasons, which partake of the source from which they are derived."

Since the deputation of Mills in 1853, the Government had seriously entertained the proposal to impose a moderate tax upon the people of Jaintia. This proposal was supported by Allen who recommended the imposition of House Tax.²⁷ Paupers and others who were incapable of paying the rent were exempted. This proposal given by Mr. Allen was considered by Mr. Halliday and in March 1859, the Governor General's Agent, North East Frontier was ordered to make arrangements for carrying the measure into effect.

But it was found that the imposition of such a tax would cause uneasiness and economic distress among the Pnars who were gradually drifted to open rebellion. Nartiang rose in arms and opposed the officers entrusted with the collection of the taxes and a strong detachment of European soldiers was

despatched from Dacca and Sylhet which came into collision with a small number of 'rebels' and defeated it.

It was observed, however, by the Lieutenant Governor, that the imposition of a House Tax would be of little importance, financially, but it would certainly create a moral and political binding upon the people, who were thus forced to recognise and to acknowledge the authority of the British Government. Under such circumstances, the Lieutenant Governor approved of a recommendation made by the Commissioner that the rate should be reduced and to be levied at a uniform sum of one rupee per house. There was no financial objective, as pointed out above, but the political objective having thus secured, the Lieutenant was fully satisfied. He opines that care and intelligence in assessing houses would make such a regulation work well. A family would include none but the parents, children and household servants residing in the same house. All separate families or separate individuals residing in the same house with one such family should render the house liable to tax as for two, three or more houses. Separate individuals residing in the same house must each pay as for one house. The introduction of the House Tax took place in the beginning of 1860. The most influential of the people at once objected to it and desired that if they were to be taxed it should be through their former "Rajah". They also stated that they had received verbal assurance from the former Political Agent, Colonel Lister, that they should never be taxed. However, leaving aside all petitions, Solomon, the Tehsilder was entrusted with the duty of making the first assessment. C.K. Hudson, the officer who had proposed the assessment had recently resigned and the Assistant Commissioner, Shadwell, took his place as the only Civil Officer in the hills. The present officer issued an order that

"As arrangements have been completed for the collection of the tax according to the confirmed order of the Commissioner through the Dolloyes and a Tuhseeldar has been appointed, it is unnecessary to upset this arrangement, let it therefore be explained to the petitioner that the House Tax, according to the Orders already issued, will be collected through the Dolloys and Tuhseeldar."²⁸

As a result of the House Tax, as one of the reasons for the movement, the inhabitants of the Jynteah villages had risen to arms to oppose the collection of the House Tax ordered to be levied on them.²⁹ On the 8th April 1850, at 4 P.M. a message was sent by "Electric Telegram" from the Commissioner to the Secretary to the Government of Bengal that the Magistrate of Sylhet reported that Lieutenant Buist has had two skirmishes with the "Cossyahs of the Jynteah Hills" and dispersed, but the people of Khasi Hills were quiet. The movement was confined to the Cossyahs of the Jynteah Hills only. C.K. Hudson, the Principal Assistant Commissioner observes:

"There can be no doubt I think of the soundness and justice of the policy of making these mountaineers contribute to their respective means to the support of the paramount British power . . . and nothing would in my opinion conduce more than taxation, which the people generally are able to bear, to bring out their dormant energies by compelling them to cultivate more freely, to raise them from their rule and degraded condition, and to secure their allegiance to our Government . . . and the only question that occurs to me in carrying out the measure of assessing them are how it is likely to be received by the people and what form an assessment should be imposed."

The second tax, the Income Tax was imposed in 1861. Generally, the people could not have an accurate account of their income. The tax might practically become one on property and not income. It is probable that neither Mr. Wilson nor any member of the Government would have approved of the Income tax in the Jaintia Hills if the point could have been directly pressed upon his attention. But the Commissioner would be aware that the application of the tax to Jaintia Hills was hardly less expedient. Some said that the imposition of Income Tax had caused the movement but on closer scrutiny the imposition of this tax could not be taken as an important factor. Even the English were of the opinion that the Income Tax was one peculiarly unsuited to the people in the circumstances of the hill tribes, who neither read nor write and having no strangers resident among them possessing these requirements. Moreover, the tax could not be le-

gally levied without great difficulty by the means available. The difficulty seems to have been felt by the Deputy Commissioner and the Commissioner. It was to be regretted that the Deputy Commissioner did not avail himself of the Order contained in the letter of the Secretary to the Government in order to exempt the people of Jaintia Hills. It was felt that many of these people could not give an accurate account of their income. The tax may be said to be one on property and not on income and that it was exacted from many persons who should have been exempted in the spirit of Section 130 of the Income Tax Act.

Besides, there were rumours of intended new taxes, rumours of intended resumptons of land by the Government which certainly produced an apprehension among the people. The restlessness of the people was further increased by the mode of realisation of these taxes which was high handed and insulting. Brigadier General G.D. Showers, Commissioner of the Cossyah and Jynteah Hills stated that when direct taxation was enforced in the district, the relative right of the Government and that of the people was brought into direct clash. The independent spirit of the people led them to resist the authority assumed by the British. U Bang Doloi of Raliang states (24th April, 1863):

“People did not object to the House Tax except the very poor people. It was taken from all alike. The very poorest, including widows, had to pay it. The order was that every house whatever should pay. Old women, who had no one at all to support them had to pay that. All paid alike.”

Another statement was made by U Long Sutnga of Nartiang that:

“The tax is oppressive and taken from the relatives of the people deceased. Empty houses are taxed, if the tax is not paid, the house is sold. The tax is realised from blind people and widows.”

The disarmament of the people and the prohibition to carry arms, the interference of the police with the religious ceremony at Ialong and the firing of the military guard on the people who came to give up arms at Jowai, were some of the factors which led to the struggle of the Pnars against the

English. After the outbreak of 1860, Major Rowlatt partially disarmed the people.³⁰ As many as 588 shields, 475 swords, 14 guns and pistols, 76 arrows and 3 spears were confiscated and destroyed. On the representation of the people that they could not hold their ordinary festivals and other ceremonies without arms, permission was given for four or five swords and shields in different villages.³¹ On the 29th September 1860, Act XXXI of that year was declared to be in force. Thus the swords were sent to Sohra, broken up and sold.³² For this, Major Rowlatt was referred to by the people as "Thangstieh" or "Shield Burner". Some of the English Officials, however, were of the opinion that the hills which abound in wild animals, the possession of arms would be essential for the safety of the people. Arms were also necessary during religious festivals. Besides, the arms were on many occasions treasured heirlooms.

The first struggle against the English was subdued. But the struggle gained momentum and the feelings of the people were further aggravated and roused them to more determined resistance. The Ialong Episode (November, 1861) set the whole situation ablaze. When the season of the religious ceremony came, according to the statement of Manik Doloi of Jowai (16th April, 1863), it was supposed to be at Ialong, with arms, but he was instructed that proper notice should be given to the people. He went to meet the Darogah who advised him to get the permission from Major Rowlatt who was then in Shillong. The Doloi did, according to the advice of the Deputy Commissioner, as he said,

"Very well go and have your poojah, no one will prevent you."

The Doloi thereupon told the people of Ialong

"Take three pairs of shields and three swords."

The people in consequence began the ceremony in the usual manner.

Later, the Darogah, Soorkee, came with sepoy's of Police and took away the arms and prohibited the festival, the people complained. But English sources however confirmed that:

“Soorkee was educated at Cherrapoonjee, but not by the Missionaries there and was not in any way connected with their schools or mission, he is therefore not a Christian, and not a man likely to have done anything to hinder the performance of the Cossyah rites. It is said that he interrupted them when engaged in some ceremony, and forced some of them to speak, which is not allowed on such occasions, and that this obliged them to put a stop to their proceedings before the Poojah was completed . . . he denied having done anything in proper . . . he heard the Ialong people had collected a large quantity of arms, he went up with two police sepoy on the occasion of their poojah, when the weapons would be displayed, to see that they consisted of, and that he made no attempt to take them from them, or to interrupt their Poojah.”

The people of Ialong complained to the Doloi that their ceremony had been needlessly stopped. The Doloi went to Mr. Shadwell at Sohra who referred him to Mr. Rowlatt at Shillong. Mr. Rowlatt asked the Doloi the cost sustained by the stoppage of the Puja and that the complaints were to be given as a petition to him. The Doloi returned to Jowai only to find the people of Ialong were out and everyone had gone to the jungles. Everyone was saying that the ceremony had been wantonly stopped, that it would be better to die than live in that state of things. Three dorbars were held, the first at Latuber, the second at Shangpung and the third at Mobakhon. In the first two dorbars, only the Pnars were there but at Mobokhon Hajon Manick, the Syiem of Sohra was also present. U Kiang Nongbah was the spokesman who conducted the assembly.

Local tradition tells, ever since Kiang was a small boy and he used to feel bitter against the white people who wantonly destroyed his paddy fields. He used to say one day he would slash them all. When the movement started, the Pnars divinely searched for a leader, the people have always believed in divine answer. At the Syntu Ksiar water, all men, patriotic young and old alike came. Every man was asked to dive into the water and to bring back with them the ‘Le tang grass.’ They did but could not bring with them the Le tang grass.

Kiang alone, who dived deep into the water, came back with the 'Le tang grass.' As the religious belief stands he had received the covenant from God to be the leader. On the 129th death anniversary of U Kiang Nongbah, the people of Khasi and Jaintia Hills reminiscenced the noble deeds of this great hero. They found him to be a kind and sympathetic man, straightforward and without fear, a man of action who stood up to fight for the downtrodden and for his motherland. The young Khasi people of this century remarked:

"... though the Britishers are gone, yet their legacy is still with the nation and their policy of divide and rule still remains. The Khasis and the Jaintias are one people, but it is the British who tried to separate them as two peoples. This must now end."³³

According to P. Toi, Kiang Nongbah was not a Doloi or a Syiem or a Pator. He was an ordinary citizen, a son of the soil. His mother Ka Nia Rimai Lyngdoh inculcated in him the spirit of humility and duty. His first confrontation with the British was through Doloi Manick Pakyntein or Doloi Tyngker who consented to collect the House Tax. He went to the house of Ka Lakhi Pyrdiang, she had nothing only a rice vessel. Doloi Tyngker kicked her. She cried, the baby she carried on her back also cried. Kiang Nongbah came forward to help her. This was the first physical encounter he had with the people from the opposite camp. This enflamed his patriotic spirit. Time alone would decide.

At Mobokhon, the Pnars said that they had been called upon to pay revenue and had paid it, they were called upon to pay Income Tax and had not resisted that, they had however had their ceremony and customs interfered with, this was more than could be borne. The Syiem of Sohra made them understand that if they would submit, the Income Tax would be given up and they would be pardoned. He said that he would be responsible himself in person for the safety of those who might surrender but his words produced no effect. No amount of mediation could bring the Pnars to submit. Ten or twelve days after, one or two hundred men came to the market place near the guard at Jowai, armed. The sepoy

began to fire, U Kma Lyngdoh of Ialong describes the incident as follows:

“They said that they have suffered insupportable wrong such as they had never experienced before, the Dorogah had insulted them, had interfered with their poojah and kicked the sacrificial altar with his foot and insulted and driven away the women from the poojah.”

Brigadier General Showers understood the situation when he remarked:

“It is seldom on account of a single measure of Government that a people rise up in rebellion against the state and though the introduction of the Income Tax may be the original cause of discontent yet it appears doubtful whether the feelings of the people would have broken out into open violence unless they had been aggravated by the acts of the Local Authorities.”

The Pnars from all available evidence, were no doubt in an irritable state and Major Rowlatt would have done well to pacify the people. On 4th January 1862 Soorkee reported (Vide Appendix No. 13) from Jowai that the people of Jowai, Ialong, Latuber and Shyrmang were consulting with other Dolois to burn the thana and guard. On the 17th the guard at Jowai had been attacked. Troops were called for. It was clear therefore, that the movement was not imminent before 3rd January 1862. Major Hopkinson writes:

“On 18th January I got a note . . . that matters appeared to be pretty quiet in the Jynteah direction . . . received the news that the country was up, that the Thannah at Jowai had been burnt to the ground, and the guard there besieged.”³⁴

The “Jayantia Rebellion” was precipitated by the conduct of the military guard at Jowai by firing on a crowd of persons who came to give up their arms. Strictly speaking, perhaps this would not have been the spark which flared Jaintia hills but the people were already in a state of rebellion. In short, T. Jones the Christian Missionary observes:

“Their former grievances of every kind were as heaps of powder in all directions and the Darogah there applied the torch to them and set the whole country in a blaze.”

The guiding personality behind this was U Kiang Nongbah, who also had faithful followers like U Mullon Doloï Mynso, U Bukher of Raliang, U Kiang Sule of Shangpung, U Mon Rymbai, U Sung Pading, U Ram Hadem and others. Secret meetings were hurriedly convened to discuss plans and strategies, messages were sent for holding the Dorbars of the leaders. The spirit of resistance spread far and wide to every nook and corner of the Jaintia villages. Everyone rallied round him. It is said,

“They fought bravely for their independence and at first were successful in cutting off several small detachments of police and sepoy. Their weapons were bows and arrows.”

Brigadier General Showers observes

“... but those to the east, the leaders of the insurrection are as violent as ever. There is no intelligence of their haunts, and I am unable to learn how they are to be reached.”

The English found it difficult to suppress the Pnar warriors, Shakespeare gave an account of the forces of the English as follows:

“The force under Colonel Dunsford employed to suppress the rising comprised the following troops, the 21st and 28th Punjab Infantry 33rd Native Infantry 2nd A.L.I. (Assam Light Infantry), the Kamrup Regiment, Rattray’s Sikh Military Police (later 45th Sikhs), 200 Frontier Police from Nowgong and the North Cachar Hills and a battery of Artillery.”

It is really surprising that the people of Jaintia with their crude war implements could strike a great setback to the English imperial power. It should not be forgotten that the people fought to defend their motherland, they fought to

uphold their traditions, they fought to preserve truth and justice. It was this which kept the spirit of the Pnar warriors alive to fight courageously against the superior military power of the English.

The English imperial power however had at its main objective the "submission of the Rebels" and that this should be done without destroying the country or burning of villages or humbling the spirit of the people. The Government so far was perfectly well aware of what the Pnars were plotting, it was in possession of the names of many of the ring leaders. The Government, according to Rowlatt, was fully prepared to seize and bring to justice persons who might be guilty of any acts deserving of punishment. If any one was found to fight against the Government or waylaying any government servants, the sepoy would be sent with orders to shoot such persons down, and that if any were taken prisoners they would be transported beyond the sea and never be allowed to return to their country again.³⁵ According to the information received by the Government, the Pnars of the Jowai district were taking their property from their houses and concealing in the jungle. Perhaps the people were haunted by the idea of several taxes being imposed on them by the government or there was an apprehension that their property should be confiscated.

General Showers had submitted to the Government the copy of the Proclamation issued to the Pnars offering pardon to all who had applied for it on the condition of bringing in their arms. Certain exceptions had been made, though, such as leaders of the "insurrection", the chief of whom was Kiang Nongbah who was considered as "the principal instigator of the rebellion." Such persons or leaders who were guilty of gross acts of treachery or of crimes should not be pardoned. A reward of Rs. 1000 was offered to any one who should bring Kiang Nongbah to the English. Kiang Nongbah was at that time ill and despondent. According to the English sources, U long Sutnga of Nartiang, attracted by the offer of Rs.1000/- betrayed his people and his homeland by disclosing the place where Kiang Nongbah was lying ill. Lieutenant Sadlier with his forces proceeded to Umkara along with U Long Sutnga. Caught unaware, Kiang Nongbah was at last betrayed. We do not have reliable sources to tell us whether U Long Sutnga really did betray his own

“flesh and blood” or whether he was under threatening compulsion to do so. But at last, Kiang Nongbah was captured. On the 30th December, 1862 Kiang Nongbah climbed the scaffold, R.T. Rymbai writes,

“Kiang Nongbah told his weeping countrymen to watch him with courage, faith and hope. If they saw his face turn east when he swung on the rope they would get back their freedom a hundred years passed, but if it turned to the west they would remain slaves forever . . . the stupefied people could scarcely see what happened but they believed to a man that they saw his face turn eastward.”

It was not until November, 1863 that the last of the Pnar leaders surrendered and the pacification of Jaintia was complete. The final capture, according to Hamlet Bareh, was that of U Myllon Dolois Mynso, Bukher of Raliang and U Kiang Sulloh Pator of Shangpung. When the struggle finally ended an English Officer with full powers was stationed at Jowai. The administration of the Dolois was reformed and administrative efficiency was facilitated. On the capacity of Major Rowlatt, the English regarded him as an officer of much experience, he acquired considerable credit from the Government for the way in which he brought the Jaintia outbreak in 1860 to a close and settled his country.

When the “Jayanta Rebellion” broke out, the English Government was not in a position to know the main reasons for the outbreak of the uprising, or the grievances, real or supposed, that gave rise to it. Numerous opinions have been formed and recorded, but they were for the most part, conflicting, and rested rather on rumour and hearsay than on something substantial which could be regarded as a reliable foundation, that is, the statement, made by the people whom they called the ‘Rebels’ and efficiently of those among them were leaders. The Lieutenant Governor found it difficult to form a satisfactory judgement as to how changes could be incorporated in order to make the administration of the Jynteah Hills more acceptable to the people and how to remove the complaints which existed. It was necessary that the English authorities should not lose any opportunity of supplying the omission which had been repeatedly dwelt on by the Government from the very

commencement of the outbreak of the uprising. It was suggested that the House Tax must continue to be levied but due regard should be paid to any complain of inequality or injustice in the assessment of such a tax. The Income Tax was virtually abandoned in the Jaintia Hills for the future by an Act which repealed it on all the income below Rs. 500/- per year. However, the arrears of 1860-61 should be collected but careful attention should be given to any allegations of improper assessment. Time should also be considered for payment for those who suffered loss of property during the disturbances.

Irrespective of the great uprising, there should be redress of the grievances of the people by peaceful means. The English were of the opinion that if the native people possessed even the elementary knowledge or rudiments of Education,

“They would have known the hopelessness of armed opposition to the Government.”

To educate the people was a duty, the discharge of which would depend upon the Government. The Government should improve the condition of the people. General Showers in his ‘Report’ on the administration of Jaintia Hills writes:

“The last subject connected with the Jynteah Hills which it remains for me to notice is the establishment of schools among the sintengs. They have no prejudice against learning from European teachers either secular or religious instruction. Their feelings are free and open and they are prepared to learn either through the medium of the Bengalee or the Roman character. A Welsh Presbyterian Mission has been established here for some years, and the present minister in charge of the Mission has gained completely the confidence of all the villagers. He goes freely among them and is received everywhere with the kindness and good will. He understands their character and the extent of instruction that should be given them. There are few men who at the present time are better adapted to be entrusted with the grant-in-aid that the Government may be induced to give for educational objects

Roads must be opened up for the resumption of agricultural operations throughout the greater part of the disturbed country:

“... by expanding a moderate sum of money on the roads most urgently needed, and thus at once to provide the means of feeding a starving population and of opening up the communications necessary both for traffic and for administrative purposes

In the process of subduing the Khasis, the English adopted different ways and means. Treaties and Agreements were executed with provisions favourable to the English only. Independent states were converted into British territories or British areas to suit the administrative convenience of the English. Others were forcibly wrested from the Khasi states and converted into British territories to make them submit to a more superior power. In conformity with the norms of British policy, the Jayantia Parganas of the Sutnga State were forcibly tagged with Sylhet and Gobha was tagged with Nowgong district in 1835. The Hills portion of the Jaintia or Sutnga State was converted into a British area under the name “Jaintia Hills.” Sohbar became a British area. Several villages were converted to British villages. Some States were divided into different villages. Muliang was divided into Nonglang, Jyrngam and Nongriangsi Sirdarships. The States which were not converted into British territories were called “Khasi States”. The Khasi States and Khasi villages which were converted into British areas were generally known as “Khasi and Jaintia Hills District.” In his relationship with Khasi and Jaintia Hills District, the English Officer was styled as “Deputy Commissioner” and in his relationship with the Khasi States he was styled as ‘Political Officer’. Thirty one villages were converted into British villages.³⁶

The policy of the English, be it negotiation or agreement or forced annexation, left a great impact on the subsequent history of the Khasis. This period saw the sad bifurcation of Shyllong State into Khyrim and Myllem States. It also saw the division of the Khasi land into Khasi and Jaintia Hills. Having the same origin, having the same customs and traditions, the name “Jaintia Hills”, of the ‘Khasi Pnar’ was wrongly

given, it could have been "East Khasi Hills". Other Khasi States were artificially divided to suit the English pattern of administration. The forced annexation of the Hills to the plains territories not only created resentment but it also created complication. In fact, English rule still leaves a "scar", on the Hills, it also leaves problems, complex and varied in nature, which time alone can decide. Yet there are certain changes which the English had introduced and which have benefited the Khasi people today. In spite of their political domination, being at the helm of affairs, they still cared to preserve some of the traditional customs and laws of the people, for which the Khasis should be grateful.

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(b) Pemberton *op. cit.* pp. 246-47.
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10. For 1830 Dept. Pol. Con. 3 December No. 2.
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12. Pemberton, *op. cit.*, pp. 238-239.
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retary to the Government of Bengal (No. 30 dated Moflang July, 1863).

18. Ibid.
19. Letter No. 76 from Captain E.A. Rowlatt, Principal Assistant Commissioner. Cherra Punji, to the Secretary to the Government of Bengal, dated 6th April, 1860.
20. Letter No. 203 from W.I. Allen Esquire, Officiating Member of the Board of Revenue on Deputation to A.R. Young Esquire, Secretary to the Government of Bengal, Fort William, dated Cherrapunjee, the 21st August, 1857.
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27. Allen's Report, Paragraph 267.
28. Order by J.B. Shadwell, Esq. officiating Principal Assistant Commissioner, dated the 14th February, 1860.
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31. Ibid.
32. Ibid.
33. Mait Shaphrang, Vol. I, No. 1 Shillong 1991, Special Issue on Kiang Nongbah 129th Death Anniversary, p. 18.
34. Vide printed Records No. XXXIX page 90, paragraph 2.
35. Letter No. 28 from Major E.A. Rowlatt, Deputy Commissioner of the Cossyah and Jynteah Hills, to Thoolye, Naib, Darogah, dated Shillong the 13th January, 1862.
36. Acts, Rules and Regulations of the United Khasi Hills Autonomous District 1952-1961. The 31 villages are:
 1. Byrong
 2. Jyrngam
 3. Laitlyngkot
 4. Laitkroh
 5. Lakading
 6. Myrdon
 7. Mawmluh
 8. Mawbeh Larkhar
 9. Mawthang Sohkhylung
 10. Mawsmi Nongthymmai
 11. Marbisu
 12. Mynteng

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| 13. Nongbah | 14. Nongpoh |
| 15. Nongkroh | 16. Nongiri |
| 17. Nongriat | 18. Nongshluit |
| 19. Nongriangsi | 20. Nonglang |
| 21. Nonglyngkein | 22. Nonglait |
| 23. Ramdait | 24. Saitsohpen |
| 25. Synei | 26. Sinai Mawshynrut |
| 27. Sohbar | 28. Tynrong |
| 29. Tyrna | 30. Tynriang |
| 31. Umnuih Tmar | |

CHAPTER V

THE POLITICAL AGENCY

The occupation of Khasi Hills started in 1829 when an Agreement was executed between Dewan Singh, Syiem of Sohra, with the knowledge and consent of his Dorbar of Myntris and Elders and David Scott, Agent to the Governor General, North East Frontier on the 12th September, 1829. The treaty placed the Khasi State of Sohra under the sovereign power of the Company and the voluntary cession of the portion of the territory of the State called Saitsohpen to the British in lieu of Pandua in Sylhet made Saitsohpen a base for military operations for the British in the struggle between the English and the Khasis. With the end of the struggle, the English became the undisputed master over the hills. To hold fast to this imperial control, the English had to devise ways and means, by which the Khasi rulers would be made to come under the complete control of the English. The Khasi States, according to the English, should be clipped from all possible angles. With this aim in view, the Political Agency was established on the 11th February, 1835 at Sohra.

The Governor General of India in Council appointed Captain Lister as the Political Agent on the 11th February, 1835, the Station at Sohra being the only place at that time, over which the Agent exercised sole jurisdiction.¹ When the Jaintia Hills came under the British it was also placed under the Agency.² Robertson in his report dated 28th February, 1834 on giving up his charge writes:

“I feel myself bound to name Captain Lister and Inglis as those to whom I consider and myself mainly indebted for

being able to make this charge over to my successor in a more tranquil state than it was when two years ago it came to my hands."

As per the appointment of Lister as the "Political Agent in the Cossyah Hills with the charge or relations with the Jynteah Raja", he was given charge as follows:³

"You are to retain the command of Sylhet Light Infantry, the Headquarters of which are to be fixed at Cherrapunjee and you will be entitled from the present date to draw salary as Political Agent rupees four hundred per mensem."

"The particular classes to be held amenable to your authority may be defined hereafter, if it be necessary to define them at all, where the duty of the Superintendence must be so general. There are some villages in which it may be necessary occasionally, that you should exercise magisterial functions while the other Chiefs will retain entire jurisdiction within their own limits.

"You will consider yourself empowered to fine to the extent of five hundred rupees and imprison for a term not exceeding two years upon the proceedings held before yourself as a Magistrate.

"In all graver cases calling for several degree of punishment and not of that particular description provided for in our Agreement with the Cherra Raja, the trial should be held before you, aided by a Panchayat to consist of not less than three individuals of such classes as it may appear most proper to select them from your conviction upon a trial so conducted.

"You are empowered to punish by fine to the extent of five hundred rupees or by imprisonment for five years, with or without labour and either at Cherra or banishment to Sylhet or Assam. In cases of crime deserving of a higher degree of punishment, the proceedings should be forwarded with an English report to the Nizamut Adawlat."

In short the Political Agent at Sohra was given the power to exercise his authority over Khasi and Jaintia Hills and the

sovereign power was thus transferred from the hands of the Khasi rulers to that of the English.

We can examine the authority of the Agency under two categories.⁴

I. The power of the Political Agent as the "Political Ruler," The Government of India states,

"In those villages which have become ours by right of conquest and form the jurisdiction of the Agency, as little interference as possible as should be exercised. These villages which have retained their independence and which have been restored to their former chiefs are only to be influenced politically."

In other words, it is clear that the first part of the statement refers to the British areas and the second part refers to the Khasi States.

II. The power of the Political Agent as the "Magistrate." The Political Agent was vested with the power to exercise "magisterial functions" in some villages, while the Syiems of other states were permitted to retain the entire jurisdiction within their own limits. The Political Agent was empowered to fine to the extent of Rs. 500 and to imprison for two years on proceedings held before him as Magistrate and with the assistance of the Khasi traditional court to imprison for five years. The Political Agent was given more power in his magisterial functions, when he exercised his power in collaboration with the Khasi traditional judiciary. All cases of heinous nature were to be sent to the Sudder Court. He was further instructed as a general rule to consider those villages under his jurisdiction, which have become British territories by right of conquest but that in those villages which have along retained their independence or have been restored by the British to the former rulers, he was desired to exercise only political control. In case of a civil nature, the Sudder Court was empowered on an inspection of the Agent's periodical return, or on a petition being presented to him, to call for or revise his proceedings as per the minute of the Governor General, which states:

"I consider it to be essentially necessary that he should have an assistant who should be empowered to punish to

the extent of one year's imprisonment and two hundred rupees fine, his proceedings being always subject to revision by his superior for whose investigation all cases calling for more severe punishment should be reserved and I propose for this office Harry Inglis, this person is recommended by Mr. Robertson and the State is undetected to him for services, in effecting a communication with the Cossyah Chief which were brought to the notice of the Government by the late Mr. David Scott and rewarded by a Local Commission in the Sylhet Light Infantry Batallion. This he has lately been obliged to relinquish in deference to the regulation of the service which prohibits any officer being engaged in trade but I consider his claims as being entitled to consideration and his long habit of close and intimate intercourse with the Cossyah Chiefs as eminently fitting him for the situation, I propose to place him in. It will be necessary to call upon him to relinquish all trading speculations, save those in the produce of his orange gardens. His salary, I would fix at four hundred rupees per mensem."

According to Act VI of 1835 it was enacted

"That the functionaries who are or may be appointed to the political charge of the Cossyah Hills be henceforth placed under the control and superintendence, in civil cases of the court of Sudder Dewany Adawlatt and in Criminal cases of the Court of Nizamut-Adawlatt."

As per order No. 193 of the 29th September, 1835, the Government authorised the extension of the jurisdiction of the Court to Jaintia Hills. The Court understood that Jaintia formed part of the Khasi territory and considered that under the provision of Act XI of 1835, they were competent to exercise authority therein, but the court formed no part of the Khasi territory and Act of 1835 could have no possible application to it, because the British were not in possession of Jaintia, when the act was passed. Subsequently, the Government sanctioned under Act XXI of 1836, the general annexation of Jaintia to Sylhet, and the extension to it of the laws and regulations.

It may be recalled that Lord Ellenborough issued instructions to the Political Agents (26th April, 1842) as follows:

1. "The Governor General deems it expedient that the conduct of all the Political Agents of the Government should be guided by one clearly understood principle and"

2. "The Governor General enjoins that you will on all occasions manifest the utmost personal consideration and respect for the several Native Princes."

3. "You will consider yourself to be placed near the Native Princes to whom you may be deputed as the representative of the friendship as much as of the power of the British Government and you will be mindful that even the necessary acts of authority may be clothed with the veil of courtesy and regard."

4. "You will distinctly understand that the further extension of its dominions forms no part of the policy of the British Government, that it is desirous on all occasions of respecting the Independence of Native States it has no other wish than that every State within the limits of India, should fairly exercise its rights as recognised by Treaty and contribute by the maintenance by its own means of peace and good Government in its dominions to the general happiness of the whole people."

According to the same instruction, the Governor General also felt that :

"the Government has yet another duty to perform, that placed in the possession of great power, it is deeply responsible to providence for the exercise of that power in such manner as may most conduce to the happiness of all tribes"

We may examine the cases of Sohra, Mawmluh, Mawsmal and Sohbar in Khasi Hills and the whole of Jaintia Hills which became British territories. Mawmluh and Mawsmal were acquired by right of conquest and Sohbar by a Treaty. Mawmluh was once a dependancy of the Syiem of Nongkhlaw prior to its conquest by the British Government.⁵ Sohra had

its own Agreement with the British ever since the time of Dewan Singh, Syiem of Sohra, which was subsequently renewed and ratified by the other Syiems of Sohra. These States had their own Khasi rulers who could adjudicate and dispose of all small or petty cases which could then be appealed to the Agent of Sohra. Heinous cases were straight way appealed to the Political Agent. Yet, it is surprising to know that from 1835–1853, no appeals had ever gone to the Political Agent.⁶

There is no definite information as to the number of Khasi States during the Political Agency in particular and the British rule in general. It is surprising that the theories given by the various administrators themselves were contradictory and none of these could be fully accepted. Local tradition always refers to the land of the “*Thirty Syiems*” and the “*Twelve Dolois*.”

In 1853, Mills wrote in his report that “The Chieftains were twenty four in number.”⁷ “But the States mentioned by him are twenty three in number. Mills stated that four of the States “Khyrim, Nongspung, Nongstoin and Langrin did not enter into Agreement with the British Government.” They disposed of all civil and criminal cases occurring

“amongst their own ryots in their respective jurisdiction when clashes with the subjects of the British Government or those of their Chiefs the cases are then taken up in the Cherra Courts and disposed of according to their merits.”

Sohra alone entered into an Agreement with the English, by which Sobha Singh, Syiem of Sohra retained the civil and criminal jurisdiction over his own subjects both in the hills and Burryaille in the plains. Burryaille was given by the British in exchange for lands, then forming the station at Sohra which had been given up to the British by Dewan Singh, the late Syiem of Sohra. Subjects of the British Government absconding and taking shelter in the Syiem’s territories were to be given up on demand. Quarrels occurring between the Bengalis and the Khasi subjects of Sohra State were settled by the Sohra authorities. The remaining States executed Agreements with the British Government by which the Khasi rulers placed themselves under the protection and

subjection to the British Government. Heinous offences committed in their jurisdiction were brought to the Sohra Court for adjudication. Petty cases were disposed of by themselves.

Allen on the other hand, mentioned five semi-Independent States — Sohra, Khyrim, Nongstoin, Langrin and Nongspung. Both the reports of Mills (1853) and Allen (1858) bear the same fact that Sohra alone entered into an Agreement with the English. The remaining states did not have any formal — agreement with the English. These five semi-independent states could exercise the entire judicial control according to their customs and usages over the people of their respective states in all matters occurring exclusively among themselves but in cases where the British subjects or the people of other states were involved, in crime or offences, in civil or political matters, such cases should have been invariably tried and decided by the Agent and his Assistant. Contrary to the decision of the British Government, the Syiem of Khyrim, Singh Manick refused to refer the case of his subjects being accused of reaping crops in a village in Jaintia Hills to the Political Agent. Allen also mentioned 20 (twenty) "Dependent States" while Mills gave the names of 19 (nineteen) States. The Rulers of these remaining states, in collaboration with the Dorbar Hima, could investigate all civil and criminal cases occurring exclusively among their own people, except murders, homicide and accidental deaths where they were required to report to the Political Agent, but cases of every kind, civil, criminal and political in which British subjects or people of other States were concerned, either alone or with their own people should be investigated by the civil authority at Sohra and these states were expected to obey such orders from time to time.⁸ On the method of the adjudication of cases, Mills and Allen gave the same view though they differed in the names and number of Khasi States.

Besides, Allen also mentioned six British possessions — the Station of Cherra Poonjee (ceded), Moosmye Poonjee (conquered), Mamloo Poonjee (Conquered), Sooper Poonjee (Conquered), Byrung Poonjee (Conquered) and Jynteah Hills (ceded).

The Political Agent, besides being in charge of the civil administration, was also in charge of the Military Adminis-

tration (through the Sylhet Light Infantry) which was afterwards changed to 8th Gurkha Rifles. Gilbert Shullai refers to the memorable football players of the 8th Gurkha Rifles in Shillong during which time, Shillong Government High School had good football players.

Shortly speaking, the British Government took away the power of the Khasi Syiem in criminal matters because the Syiem, according to the British had no police force of their own. It is no wonder, therefore, that till today, the Khasi Syiem exercises authority only in civil matters and this leads to a decrease of the power of the Syiem or Sordar or Wahadadar. As Mills observed in his report:

“There is not a police Thana in the Jaintia Hills. The single Thana is at Cherra . . . The authority of the Dolois is quite uncontrolled and no municipal police exists for the prevention of crime nor yet for the detection and punishment of petty offences.”

There are twenty three Dolois and Sirdars, who were in charge of certain villages and there were Pators or Assistants to the Dolois and Lyngdohs (village priests).⁹ According to Mills, the Lyngdohs could make primary investigation in all petty civil suits to the value of Rs. 50 and criminal cases of assaillance, misdemeanour, dispossession of land and crops and others. The party, dissatisfied with the decision, could refer their cases to the Dolois or in their absence to the Pator when both parties were summoned with their witnesses and the cases were tried to the Dorbar. The above observation that primary investigations could be made to the value of Rs. 50 may also refer to the power of the Dolois to impose a fine not exceeding Rs. 50. The Dolois have powers to try civil suits without limitation of amount. Appeals against the order of the Dolois and Pators were admitted in the Sohra Court.¹⁰ Since 1841 the power of the Dolois was cut down by the English Government. Triennial elections for Dolois, started from 1850. A Dolois, however, held office during good conduct.

The policy of the English in the Khasi Hills would vary from time to time and from place to place according to the need of the situation. Broadly speaking, the Political Agency, may be said to be a political interlude for the British admin-

istrators to mature their subsequent plans. It was during the period of the Agency that the Subsidiary Alliance was entered into between the Khasi States and the English and this made the Khasi States to surrender their important rights to the English. The people reacted sharply, they blamed the Cherra Court for injustice, bribery and corruption. Eventually, these assumed to be some of the fatal factors leading to the struggle between the people of Jaintia and the English.

Apart from the practical problem of the people, that being the distance to and from the Sohra Court, the Agency was accused of callousness, harassment and mal-practices. In a personal letter from Thomas Jones to F.I. Halliday (31st July, 1848) the former referred to the hardships and the complaints of the Khasis who were subject to the jurisdiction of the Company's Court at Sohra. They complained that they were left to the tender mercies of one man without any means of redress except in passing recourse to acts of violence. There was a complain against Harry Inglis for continually insisting on receiving the produce of their oranges. Though he had received the sanction of the Government for trading in oranges, yet, the people said that the period first sanctioned by Government had passed long ago but they were still forced to let Inglis receive the proceeds of their groves, while their families could scarcely get the necessities of life hence they felt the hardship doubly grievous.

After a poor man and his family had by assiduous industry planted and weeded and taken care of their groves, collected the oranges and taken them to Chatak for sale, Inglis, they complained, received the money and gave them about one third of the amount and in some cases not more than one sixth lacs or eighth of the amount realised. The complain asserted that Inglis received nine lacs but paid the people only six lacs; they did not, however, dare refuse to let him have the money as he threatened them and some of those people who had attempted to sell their own oranges, and received the money themselves, had to pay dearly for what they did, because their houses were pulled down by force, their plantations rooted up and destroyed. The people complained that Inglis took their limestone only to suit his personal interest. All agreements and prices were settled by him

and, as he was the Magistrate, they were obliged to let him have the quarries, as well as to sign anything he wished them, Colonel Lister, being Inglis's father-in-law, it was useless to appeal to him. They however, had but a poor chance of justice. Critically enough the father at Chatak trading in lime and the son at Sohra making all his bargains for land and limestone and the father-in-law to appeal to, the whole situation was worse than mockery.

The people were also obliged to pay dearly for all cases in the Sohra Court. Both parties, defendant and plaintiff were obliged to bring in all they could muster either of their own or what they could borrow before their cases could be decided. Headmen were made and remade according to the sums they could present to the "Presiding Genius." Syiems or Headmen were made instruments of extortion and the people could have no redress, because the only place for them to go was the Court at Sohra. If the Company wanted money it must be instantly produced or they would be deprived of their territory. Tradition tells that one Khasi Syiem was threatened to be deprived of his territory if he should bring an attorney from Sylhet, to conduct a case in the Court. He was told to leave every thing to Inglis and to bring Rs. 1200. He was however, able to give only Rs. 300 the only savings he had. The people complained bitterly of the cruelty and extortions of the underlings of the Government, respectable people who were supposed to have little money were caught and tied up either by the heels or neck or arms and hung to the trees, until they frequently even supposed to be on the point of death. They were made to promise to give whatsoever might be the sum required, the court even demanded their pigs and fowls. It was said, their women folks were humiliated and their money extorted at the point of the Company's bayonet yet they had no where to go for redress, as their oppressor, having taken away their money, he could give a larger bribe to the court and came the next day to repeat his cruelty and extortions.

It was however not clear to the Commissioner of Assam, Major F. Jenkins, as to the ordinary jurisdiction of Lister's Civil and Criminal courts in the Khasi Hills.¹¹ From this letter we understand that the Political Agent, Khasi Hills

refused to execute a decree against the Syiem of Nongkhlaw, Rajen Singh. The letter states:

“If the Rajah is not to be subject to the civil court of the Political Agent, it will be necessary to remove him from the charge of the Doar, which however, under good management would be of more value to him, than the tract of land which he is considered independent “Rajah in the hills.”

The Assistant Political Agent in the Khasi Hills objected to give Rajen Singh any assistance, because he considered, in doing so, he would be acting at variance with the orders of the Hon'ble the Court of Directors dated 27th May 1835. Rajen Singh, according to the Political Agency at Sohra, was the Syiem of Nongkhlaw, and, that he had a residence in the Khasi Hills. It may be mentioned that probably the Syiem of Nongkhlaw had some control over an Assamese mahal. He had an agent there to conduct his business that he had hitherto been treated by the Courts in the Assam Valley, fiscal and judicial, both as plaintiff and dependant, precisely in the same manner as the Assamese subjects without any complaint or manner, and that according to Act VI of 1835, the Assistant Political Agent, Khasi Hills could not have been ignorant of and which the natives of Assam considered to be intended to reply to all parts of Khasi Hills. The Deputy Commissioner of Assam felt that if the people of Khasi Hills were to be exempted from the process of the Judicial Courts of Assam, it should be clearly explained to the people of Assam because a very extensive trade existed between the Khasis and the people of Assam, particularly in 'iron' and 'potatoes.' The Khasis brought these commodities to the markets in the plains and as usual, they were in the habit of taking advances from transacting considerable business with the merchants of Guwahaty, generally under the belief that they were subject to the jurisdiction of the Political Agent in the Khasi Hills.¹²

In continuation to the above, Nundoram instituted a civil suit against the Syiem of Nongkhlaw for Rs. 959.15 for the debt incurred in the town and got a decree from the Sudder Ameen for the amount, the Syiem paid Rs. 477.4 and not

being able to pay the balance the decree holder had him put into the Diwany Jail, here he remained for some time. He then entered into a 'Kis tee bundee' with Nundaram, and was released and he immediately took himself off into the Khasi Hills. However, he had not paid the remaining money. According to the regulation, a 'Peadah' was sent to Sohra with the usual warrant to be served through the Political Agent of the Khasi Hills. The Assistant Political Agent returned the warrant unexecuted, stating upon the back of the warrant that no authority had been given to him to do so, in fact, he had been prohibited from doing so, according to a letter from the Honorable the Court of Directors, dated 27th May 1835, and which was circulated with the Courts of Sudder Dewany's and Nizamut Adawlatt's letter of the 4th March and 20th May 1836, No. 172. Under the prevailing circumstances, the Sudder Dewany was directed by the Court to consider the courts of Assam competent to take cognizance of suits against the Khasi rulers and consequently, that the Political Agent in the Khasi Hills shall have exerted his influence to execute the decree which had given rise to such a question.¹³

We may refer to a suit between Thomas Jones, a missionary and the Syiem of Myllem which has helped to bring to light some of the failures of the Political Agency. Thomas Jones was charged for constructing a house on a plot at Myllem without permission. Thomas Jones in his letter to F.I. Halliday wrote:

"I am a humble missionary and have been instructing these people for more than seven years . . . when I could teach these poor people not only the pure doctrines of the Gospel but also the productive arts and cultivation . . . the value of land occupied by me in the Moleem Rajah's territory is not more than ten rupees per annum, and it could not have been worth while risking the loss of my houses and gardens for the sake of evading the payment of that sum by a building and his ground without permission . . . that government institute an enquiry without delay . . ."

The Syiem of Myllem complained against Thomas Jones for having built houses on his ground at a place called

Mawkriah without his permission, destroying the crops of his subjects and attempting to levy a toll on his people passing by an old path and set dogs upon the people who refused to pay the toll demanded by Thomas Jones.

As an answer to the charges against Thomas Jones, the latter wrote in his letter to J. Dunbar, Esq. Commissioner of Dacca, 23rd December, 1848:

“I sent my Mookteer to Hajar Singh and Bor Manick, the Rajahs of Mooleem to ask them if they had any objection to my coming to live in their territory and he brought back a message to me that Hajar Singh said he had no objection . . . Bor Manick also said that not only had he no objection but that he would be very glad if I came to live in his territory . . . I went and selected a site and on enquiry found that the land belonged to the Priests of Mooleem and Nongkrem and the two original families called the Mooleem Ngap and the Sohtun in common with a large tract of land, part of which is subject to the Mooleem Raja and the other part subject to the Khyrim Raja”

An Agreement was signed with Thomas Jones as below:

Be it known to all that I Oo Baamon the Priest of Mooleem and the following five representatives of the five families, Oakan of the Kurkalang, Oo Bi Nongkhlaw, Oo Pan Makar, Oo Puson Sohtun and Oojir Kharkongor have agreed and consented of our own good will to allow the Rev. Thomas Jones to build and make gardens on the Shillong land, according to his wishes. We agree not to interfere with anything belonging to him. He and they who may live with him shall worship God according to their own will provided they do not destroy our sacred wood or interfere with our sacred land.

Should anyone interfere with our sacred land or woods the Sahib shall adjust the Priest to avert him.

Should I or the Sahib die, this agreement shall remain the same into our descendants.

Signed by the Priest and the above named five persons.

Thomas Jones on having the proprietary right over the land, submitted a written agreement as to the conditions in which he was to build the house. They agreed that if there would be any dispute about the proprietary right over that land, they would see to that. Hajar Singh said that he would give Thomas Jones anything he wanted if he would go and see Hajar Singh personally. Bor Manick, according to the letter from Thomas Jones to the Political Agent, sent one of his nephews, 'Bor Sing' to Thomas Jones that every thing was agreeable. Hajar Singh on the other hand, did not send any message or come himself, though Thomas Jones repeatedly sent for him till about the middle of June. Thomas Jones thereupon on getting the agreement and the assurance from Bor Manick had commenced building, there had been no objection but seemed quite agreeable. The construction of the building had been started on the 6th March and four and a half months after Thomas Jones resided there, then only the complain came that the construction had been done without permission. Added to this he began the construction till after he had obtained a verbal permission as:

“The old Raja Bor Manick as well as Hajar Singh. And now, Bor Singh, the rightful Raja as well as the priests and people of Mooleem are quite agreeable to my remaining at Shillong, no one objects but Hajar Singh himself.”

As to the damage done to two small patches of cultivation to the value of Rs. 1 each, Thomas Jones engaged to pay for the damage that might be occasioned by him. But as the damage could not be known till harvest time, Thomas Jones made a proposal that the Headman and the owners of the cultivation made evaluation and that he would pay whatever might be the cost of the damage, either in money or produce, according to the choice of the owners. This was agreed upon by the Headman and the owners of the cultivation. As to the charge of his having attempted to levy a toll and setting dogs upon the people who refused to pay the toll, Thomas Jones said that it was absurd and gratuitous falsehood without any proof.

Thomas Jones believed that Hajar Singh raised his objections at the instigation of Inglis and that Hajar Singh ap-

peared to be 'a mere tool' is clear from the letter written by Thomas Jones to the Political Agent of Khasi Hills:

"I have satisfactory evidence that the case has been got up by the private instigation of Mr. Inglis for the mere purpose of annoying men though in open Kutchuree he held Hajar Singh a different story . . . but that he acted with the knowledge and consent of Colonel Lister and especially the friendship and family connection of the parties I cannot expect an unbaised judgement"

Thomas Jones was dissatisfied with the conduct of the proceedings by Inglis sitting on the bench with Colonel Lister, and with the interference of Inglis, Thomas Jones felt that he could scarcely speak or suggest anything, and when he tried to suggest anything, he was treated in a most rude and insulting manner. Inglis, according to Thomas Jones, seemed much more the "Judge" than the "Defendant." Thomas Jones was further insulted by a demand from Inglis and the 'underlings' of his court for money and in case he could not comply, he was told he would be still further insulted and degraded. In one of the letters to Colonel Lister, he wrote,

"I may have to advice against your assistant Inglis if you only substitute the words 'son-in-law' for assistant and take into consideration the fact that investigation would be made through the medium of that court against which I complain, you will at once perceive why I object to it without the remotest insinuation against you as a gentleman of honour. I hold it absolutely impossible for you or any other person so situated to be an impartial judge of complaints preferred against your son-in-law and there is no man of ordinary common sense in the Hills that would think of complaining against Mr. Inglis to you and have those complaints investigated by the Court where his influence is supreme. This is the real cause why these poor Kassias have been obliged to submit quietly to such horrible oppression and injustice for so many years . . . the disclosure will be very painful to you, nevertheless justice imperatively demands that you should call for immediate investigation by another Court."

Thomas Jones said that he would be glad to render every assistance to bring all the failures of the Agency to light, if the Government should think proper to institute an enquiry. Should the enquiry be done by Colonel Lister,

“ . . . it will be only sheer mocking and will be objected to by all concerned on account of his family connection with Mr. Inglis and it should be virtually only an enquiry by Mr. Inglis himself about himself.”

In his letter to Colonel Lister, Thomas Jones wrote that he declined taking the evidence of a man, named U Kiang and he had sufficient reason to ‘believe’ that he had been corrupted. The following lines from one of the letters written by Thomas Jones may explain:

“You got very angry and threw the paper at me, so you would not be dictated to by me while in fact, I was only dictating to myself . . . I beg you will not express it in such a violent manner . . . I beg to record my protest against your excluding every person from the Kutcharee except those who are known to be of Mr. Inglis . . . Three persons successively sent with it and each returned seizing, was thrust away and not allowed to bring it to me . . . It is also unfair not to allow some of my friends to present to witness.”

In the above same letter, Thomas Jones referred to Mihsngi Doloi of Sing Manick’s witnesses who was confirmed to prison without reason whatsoever. Such unjust proceedings, Thomas Jones felt and that no amount of violent measure adopted by the Agency would succeed in smashing the complaints against Mr. Inglis. He hoped the Government would give justice to the people and that Mr. Inglis would eventually condign punishment.

Thomas Jones had exposed the conduct of the Court according to which, while he was residing in a “lone place” in the interior of the hills with his wife, the “Cherra Police,” under the pretence of delivering a letter from the authorities requesting to know whether he had a licence to reside in the hills, forcibly opened the bungalow doors. Mrs. Jones stood in the verandah in the state of the greatest agony, begging them to desist with “pen, paper and ink in her hand” offering to

give the required answer. Jones, afterwards, was obliged to fly for his life from the 'Cherra jurisdiction' over the hills in the direction of Assam.

An appeal from Thomas Jones' family members who were together at the bungalow was given to the authority at the court. It said,

"If we had been thus barbarously attacked by carnivals and savages we would not have troubled Government about the matter but when we are thus outraged by Government servants we have a right to expect protection and therefore earnestly pray Government will grant us relief and redress in whatever way they may think"

In the early part of 1849, a charge of trespass was brought against Thomas Jones by Inglis in Her Majesty's Supreme Court at Calcutta. Jones' witnesses, when enroute to Calcutta, were seized and brought back from Sylhet to Sohra under instructions from the Political Agency, backed by the Magistrate of Sylhet under charge of perjury. Jones, thus losing the benefit of their evidence and from the multiplied persecutions and indignities he had suffered, shortly died of a broken heart on the 16th September, 1849. This was corroborated by Dohory Ropmay who also referred to the sad death of Jones and the reasons thereof.¹⁴

We also come across a trading company from Sylhet, Duncan and Gibson, having a suit at Cherra Court. The Company, according to its statement, was unnecessarily harassed by the Court and its officials as indicated below:

"On Tuesday, the 28th instant, the Darogah of the Cherra Jail, four of Colonel Lister's Police armed with muskets, three Burkandanz and a number of well-known dependants of Mr. H. Inglis came down from Cherra into the Sylhet district and there and then abused, frightened and otherwise ill-treated our servants and labourers. The Darogah and Police then proceeded to Lakadong (in the hill jurisdiction) for the purpose of arresting our assistant Mr. Cattell, a British subject, they surrounded his house some days, kept without food, he did not wish to come out and give himself up fearing . . . we have thus in some

measure shown the difficulties of our position, and the harassing and oppressive proceedings of the court over which Colonel Lister presides, sufficient we trust to induce His Honour to pass an order for the transfer of any cases that may be brought against us to that country to some independent tribunal, where military influence, pecuniary interest, ties of friendship and connection and fear of consequences do not prevail, and there we shall have a fair chance of obtaining justice.”¹⁵

In a letter to the Commissioner of the Government of India, there was a complain against the Agency that:

“... they are unable to defend any suit in the Cherra Court from the fact of not being able to get a mooktear who should defend his property and liberty by taking up their suit, that no witness would attend the court to give a testimony in their favour with the certainty of having false charge made against them....”

Duncan and Gibson Company accused the Assistant Political Agent, Lieutenant Cave that:

“... he rarely or even visited the jail, and that they might have been dead a week before he knew anything about it, that no native would ever appeal from the sentence of the ‘Cherra Court’ to the Supreme Company’s Court in Calcutta, from the dread of treatment he should experience during the month he would have to remain in jail before the appeal was allowed.”

In a word, the Court had degenerated into a mere “Register Office.” In continuation to the abuses levelled on the Political Agency, Thomas Jones submitted the petition to the Government of Bengal that:

“There was a vast deal of corruption and oppression perpetrated on the hills and that the poor and comparatively innocent Kassias suffered greatly thereby.... I feel it to be my duty to bring the grievances to the notice of the Government.... I was fully sensible of the great risk and difficulty it would prove anything against a man of such a vast resources, wealth and however on Mr. Inglis....

under the effects of these fears I hesitated a long time but I felt so firmly persuaded of the truth and reality of the complaints of the Kassias that I would be incurring a greater responsibility before I shrunk from bringing them to light If I kept silent, I would be a partaker of the sins of their sons and to tally unworthy of the name of the benefactor of the suffering Kassias as well as insistent with my profession as a missionary of the Gospel so that I have brought forward the complaint against the Cherra authorities, much out of a moral obligation as in compliance with the earliest entreaties of the Kassias”

The Deputy Governor of Bengal felt it necessary that an officer should be deputed for the purpose of conducting an enquiry into the several charges that have lately been made against Mr. Inglis, the Assistant in the Agency. Mr. Dunbar, the Commissioner of Dacca was asked to proceed to Sohra for that purpose. The Deputy Governor, accordingly requested Colonel Lister to make over to Mr. Dunbar, and his requisitions, all the dispositions, petitions, letters of complaints and other documents which were received from any quarter relating to the charges or to the official conduct of Mr. Inglis, including the Petitions transferred from the office of the Deputy Governor to the Agency. Lister was asked to afford Mr. Dunbar all the assistance required in the course of his investigations, whether in the summoning of witnesses or in other aspects. In other words, he should be given free access into all necessary records.¹⁶

Mr. Dunbar felt that a perfectly satisfactory enquiry could not be held without the suspension of Mr. Inglis from all the functions of his office pending the investigation. He felt that Mr. Inglis, however, must be suspended, from the functions of his office from the date of the receipt of the information but he would continue to draw the salary of the same until further orders. Such a step was taken not because of an anticipation of an unfavourable conclusion of the enquiry or for the disadvantage of Inglis but that the truth of the case should be brought to light.¹⁷ Para 29 of Dunbar's Report of 5th February, 1849 suggested:

“ . . . the expediency of transferring Mr. Inglis to some other appointment of emolument . . . as Assistant to the Political Agent in the Cossyah Hills the power of a Magistrate and at the same time holding a monopoly of the oranges grown in these hills, his father-in-law being the Political Agent and his father, having extensive dealings with the hill people in limestone, Mr. Inglis is not in a suitable position . . . human nature, even at its best, is weak and frail and it is scarcely fair, is certainly not prudent to place a man in a position, where inclination and self interest may be frequently opposed to the behests of official duty.”

The charges against the Political Agency were examined by Mr. Dunbar. Considering Thomas Jones' right to settle at Myliem, the Deputy Governor of Bengal directed the attention of the Political Agent to Act IV of 1837 which enacted that it was lawful for British born subjects to hold property in land in any part of the territories of the East India Company, and Myllem, according to Dunbar, formed part of such territories. Dunbar also suggested, that Captain Varner who had just lately returned to Sohra having for a year and a half officiating as Superintendent of Cachar would be deputed to Shillong and he would be in a better position, with his prudence and intelligence, to bring complicated matters in the Agency at Sohra to a satisfactory end.¹⁸

When Mr. Inglis was appointed in 1835, he was authorised by Government, on relinquishing all other trading speculations:

“to retain your trading speculation in the produce of your orange garden. It does not appear from the expression used in the Orders of Government that the Governor General in Council was aware that you were not otherwise interested in the orange gardens in question than as a constructor with the owners of the garden for the purchase of their whole produce, under agreement terminable and renewable from time to time. But this question is not very material.”

Dunbar was convinced that Inglis should not continue in service in the Khasi Hills while at the same time, holding a

monopoly of the oranges grown in the Hills. He was offered a transfer to some Government office with an equal rank and emolument of his present office. Inglis intended at an early period spontaneously to resign from office. The orders passed upon this point by the Government fully concurred in the sentiment of Inglis upon the above point. The Deputy Governor of Bengal was convinced of justice and expediency of adhering universally to the principle that no public servant should be allowed to embark in private speculation among the people over whom he exercised official authority. The Government was therefore happy to accept the resignation of Inglis. He was given six months' time to wind his work as per the Private Secretary's letter under acknowledgement written on 1st December, 1849, the date from which the period of six months was to be counted. His voluntary resignation was accepted. Yet in the concluding lines of the letter to Inglis, the Governor General wished to convey,

“That the good services by which your appointment was earned have not been forgotten and are not disregarded by the Government and that it will afford him much pleasure to make his recognition of those services, if he shall ever be able to do so consistently at once with your views and pursuits and with the public interest.”¹⁹

With the discovery of many loop-holes, in 1853 Mills was deputed to come to Sohra to make minute enquiry of the Agency. Mill's report indicates that:

“the Cherra Court has lost the entire confidence of the people.”

From the observations made by Mills, Jaintia was placed in a very anomalous position, the regulations, though ordered to be extended to it have not been so extended, which the order for extending the jurisdiction of the Sudder Diwany and the Nizamut Adalat, under Act VI of 1835 to the territory though carried into effect was clearly founded on wrong premises. Mills suggested that such anomalies regarding jurisdiction should be removed.

As far as the rules of Justice are concerned, Colonel Lister has been guided by the Assam Rules, which according to

Mills were vague. The rules have been extended to the "Cossyah and Jynteah Hills" without any authority. In Sohra there were many European people in and out of the services, some working in the coal mines or lime quarries and many others. Disputes had sprung up as a result of many trade engagements. Mills suggested:

"It is therefore, time that the administration of the territory in which the Political Agent exercises the power of a Magistrate, Collector and Judge should be placed on a more satisfactory and intelligible footing, that the Magistrate should know what law he has to administer and the subjects should know what they are to live."

Mills again strongly felt that the office of the Political Agency should be courteous and firm. The Political Agent or the Assistant, or representatives of the Government ought to bear meekly to do justice to the Government. His duty, Mills felt, would be to put forth a clear and temperate exposition of existing evils and to suggest such remedies, complete or partial, for such evils as might appear to be practicable and efficacious. He recommended:

"... the abolition of the Political Agency altogether making Cherra a joint Magistracy of Sylhet, the officer commanding the military be restricted to his military duties and execute the requisitions of the civil officer. I see no necessity of continuing the Headquarters of Sylhet Light Infantry with 100 men would be sufficient for all the duties in the Hills.... Should the Government consider imposing Regulations on the Cossyah Hills... let them put a competent magistrate in charge.... If the present Political Agency is to be continued then let them remove the present Agency and put others on their place...."

Added to the above observations, Mills drew the attention of the Government to the rendering of the second in command of the Sylhet Light Infantry, Magistrate of Cherra that:

"the individual in person may be an excellent Regiment officer but he may want all the qualities necessary for the administration of justice. In my opinion you may as well take a good civil magistrate and put him into a Regiment,

second in command as vice versa — the man required is one who has an opinion of his own who is well acquainted with the difference between right and wrong . . . This is the kind of person from whom we are to expect the faithful discharge of every species of duty”

Based on the report submitted by Mills, Lord Dalhousie therefore suggested the enactment of a complete set of rules and procedure suited to the usages and institutions of the country. He suggested that a careful study should be made of the customs, and the institutions of Jaintia and such rules, as would conform to the land and its people. The five principal States of Sohra, Khyrim, Nongstoin, Langrin and Nongspung would be left undisturbed. Lord Dalhousie also suggested that the British Government would conform to the terms of the Agreement made with the Syiem of Sohra and to subsequent invariable and unquestioned practice, the trial of all cases, civil and criminal, in which the British subjects alone were concerned. However, the position of the other nineteen States would remain the same but definite rules to govern them must be framed. In the four British areas of Mawmluh, Sohra, Mawsmal and Sohbar in Khasi Hills and the whole of Jaintia Hills, the Sirdar and the Dolois would continue under certain checks to exercise jurisdiction in petty cases. But the people must be encouraged to appeal to the Agent so that the power of the British Government could be felt all the more and that the Government could put down all unlawful practices. The Government had no desire to demand from any of the semi-independent Khasi rulers any additional payment either by way of revenue or tribute, although the expenses incurred by them from mutual agreement had secured to them the advantage of peace and good Government.

For further clarification, the British Government felt that:

“It is for the obvious advantage not only for those whom the British authorities exercise direct jurisdiction, but also of the several chiefs to whom a kind of qualified independence has been either expressly or tacitly observed that the paramount and direct authority of the British Government over the whole assemblage of these petty chieftainships as well as over the remainder of the territory

comprised within the Agency should be asserted and proclaimed in legal form. It is with a view therefore not intended to extend the interference of the British authorities in the affairs of these semi-independent chieftainships or to alter the kind or degree of subjection in which they are not now placed but only to legalise the power which has been here before exercised therein by the Agent invariably and without question, and at the same time to place the authority of the Agent in regard to the rest of the territory under his charge on a clear and intelligible footing."²⁰

The Government felt that in the Khasi villages it had the right to receive as revenue at least, such portion of the revenue as went into the hands of the former Syiems but the Agent would enquire in what ways taxes could be imposed in those areas. The Governor General observes:

“There is no law and little justice.”

In order to retain the glamour of the British rule and to give back justice so long denied to the people, the power of the Political Agent should be curbed. It was because of this, perhaps the Assistant, Lieutenant Cave was removed.

On the occasion of the departure of the Political Agent, Lieutenant Colonel Lister to Europe on sick Certificate in 1854, the Civil functions of the Political Agent of the Khasi Hills were separated from the command of the Sylhet Light Infantry, in accordance with the orders of the Government of Bengal No. 525 of the 11th March 1854 and vested in an Assistant Commissioner subordinate to the Commissioner of Assam, precisely on the same footing as Principal Assistant in the province of Assam.²¹ The Principal Assistant Commissioner of the “Cossyah and Jynteah Hills” had been deputed to Sohra under the orders of the Commander of the 29th March 1854 and received charge of the district on the 10th April 1854 following from Lieutenant Cave, who was officiating as Political Agent during Lieutenant Lister’s absence.²²

It was in 1854, an order from Fort William was given that the command over the Military and Civil Administration should “no longer come under the jurisdiction of the Political Agent.” “Military,” therefore, assumed a new department away

from the "Civil" Administration. Probably it might be because of this that the Cossyah Hills Political Agency ended and in its place, there was the "Cossyah and Jynteah Hills District". The Khasi States would not come under the jurisdiction of the above district. The 'Principal Assistant Commissioner' would be an Officer over 'Cossyah and Jynteah Hills District'. On the 10th 1854, C.K. Hudson was appointed as the first Principal Assistant Commissioner of the Cossyah and Jynteah Hills District. A Junior Assistant Commissioner, most probably, was also appointed as the administrator of the British portion of the Khasi and Jaintia Hills functioning simultaneously as Political Agent for the Khasi States. The Cossyah and Jynteah Hills District was thus transferred to the jurisdiction of the Commissioner of Assam. But para 5 of W.J. Allen's report (1858) states:

"No public notification, however, has been published either by the Government or Local Authorities regarding the transfer of this District to the Jurisdiction of the Commissioner of Assam and the public has never been officially informed what laws, rules and regulations are in force in this hills territory."

It is paradoxical that no special instructions of any kind were given as to the mode in which the official business was to be conducted. Yet, C.K. Hudson considered it to be his duty to conform to the orders and practices in the Assam courts and in all departments and to be guided in the conduct of the civil and criminal duties by the Code of Assam rules. In view of the fact, that the Sudder Court of Revenue had not yet been transferred to the district, the fiscal and political duties were conducted together. Petty cases usually disposed of by the Political Agent would be disposed of by the Principal Assistant Commissioner, Khasi and Jaintia Hills. The Revenue Settlement of land, fisheries, Succession in the Khasi Native States, boundary and land disputes and all cases of an important nature, which the Political Agent used to decide, would henceforth be reported to the Governor General's Agent of the North East Frontier who would pass orders on them or refused them to the imperial Government.

The Police Establishments would be located, one in the Khasi Hills and the other at Jowai. Appeals which were usually passed from the Assistant Political Agent to the Political Agent, would be made in the Police Department to the Commissioner of Assam, in the Agency Department to the Governor General's Agent and in the Civil and Criminal Departments to the Deputy Commissioner of Assam and offenders in murders and other heinous crimes which used to be tried by the Political Agent, could henceforth be tried by the Principal Assistant Commissioner. The letter states:

“... perhaps to be better made the peculiar circumstances of this District to revert to the former modes of administration under the General Superintendence of a Political Agent and the Civil, Political and Revenue duties being intimately blended here they might by such means be more efficiently managed in every way without a chance of clashing of authority which might otherwise be apt to occur if the supervision of the Political duties remained with the Governor General's Agent and those of the Judicial department only were transferred to the Judge of Sylhet.”

As far as revenue is concerned, no direct revenue could perhaps be raised from the semi-independent States but they might be required to pay a certain amount of annual tribute:

“... according to the extent of their territories for the protection afforded them and in token of their submission to the British Government....”

Enquiring into the existing method of administration in the “Cossyah and Jynthead Hills Territory” the Government was doubtful at times whether some places, where outrages or murders were committed, fell within the Sylhet or Sohra jurisdiction. The Government felt that C.K. Hudson sometimes failed in his duty to give his verdict, as a result of which the Advocate General had to be consulted at times, in regard to the question raised by Mr. Allen as to whether European British subjects were amenable or not to the “Cherra Court” in civil matters belonging to the semi-independent and dependent Khasi

States. The Government also agreed with Mr. Allen as to the definition of the relationship between the British Government and the Native Rulers of the semi-independent, dependent, conquered and other Khasi States. In view of paragraphs 123 to 132 of Allen's report,

"His Honour likewise approves of your proposal that appeals from the decisions and orders of the Principal Assistant Commissioner at Cherrapoonjee should lie to the Civil and Sessions Judge of Sylhet excepting those from the inhabitants of the lower hills on the Assam side which should be heard in the Assam Courts at present Appeals in revenue, political and police cases, should still go to the Governor General's Agent and Commissioner of Assam."²³

The Lieutenant Governor suggested that the Chief Civil Authority should be placed in the hands of the Commandant of the Sylhet Light Infantry Battalion and making him second in command to the District Officer, the former officer being styled, "Superintendent of the Cossyah and Jynteah Hills Territory" and the latter as Assistant to the Superintendent.

As far as the Jaintia territory is concerned, the English felt that the system of administration under the management of the Dolois and the Pators was quite ineffective. There was, a proposal for the appointment

" . . . of a European officer as Sub-Assistant Commissioner to be stationed in the Jynteah Hills who should exercise in subordination to the Principal Assistant Commissioner at Cherrapoonjee the same judicial, fiscal and general powers as are given to detached Sub-Assistant Commissioners in Assam "²⁴

J.B. Shadwell was appointed the second Principal Assistant Commissioner.²⁵ From the Government letter it is clear that Shadwell who took charge of his new office at Sohra (Cherra Punji),

" . . . does possess a sufficient colloquial knowledge of the vernacular to enable him to conduct his duties in a satisfactory manner."²⁶

In 1861, the designation Principal Assistant Commissioner was changed to Deputy Commissioner. Major E.A. Rowlatt was the third Principal Assistant Commissioner and the first Deputy Commissioner of the Cossyah and Jynteah Hills district.

Generally speaking, we can say that the Political Agency established at Sohra between 1835–1853 may be considered as a political interlude in Khasi and Jaintia Hills. The period of the Agency is also memorable in the history of the Khasi people because it brought the Khasis into contact with Christian faith which ultimately gave birth to 'a Script' for the Khasis. The missionaries gave the people a written language in the Sohra dialect. Though it was a trying period for British administration, yet, the Political Agency prepared a strong foundation for British political domination over the hills.

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CHAPTER VI

PARAMOUNTCY

Ever since 1824, the relation between the English and the Khasi states was regulated by treaties, engagements and negotiations. Such treaties were signed and executed to secure the friendship and goodwill of the Khasi rulers and to get a firm foothold in the hills. Perhaps, it was under the garb of such a diplomatic move, that the English were able to make the Khasi rulers submit through the above treaties. The terms and conditions laid down in these treaties and agreements indicate that they were executed not between equals but between a superior power and an inferior power. The provisions contained therein subsequently placed the Khasi native rulers at the mercy of a foreign rule. The last of such an agreement was executed between the Syiem of Sohra and the East India Company (Aitchison's No. XLVII) which confirmed the agreements of his predecessors.

Speaking of the development of British paramountcy in the "Cossyah and Jynteah Hills" the English decided to subjugate the Khasi states to make them feel duty bound and to serve the administrative and political convenience of the British. From 1859, the relation between the Khasi States and the English was regulated through 'Sanads' and 'Parwanas,' which were Appointment Letters under the seal and hand of the British Government confirming the election or selection or appointment of any Khasi ruler.

Perhaps it may be wrong that the English administrators alone were to be blamed because there were times when the English merely ratified the election or appointment already

conducted by the respective States. There were even times when the ruling families faced each other as distrustful rivals, though under the same clan, just for getting the upperhand. There were even times when the ruling Syiems or Khasi rulers could not carry out their duty as they were supposed to do so. All these circumstances forced the British to use their own method not only to keep the native rulers in abeyance but for general peace and tranquility, efficient and smooth administration.

A close observation shows that the terms and conditions of the Sanads and the Parwanas placed the Khasi ruler completely at the mercy of a foreign rule. Whether directly or indirectly, it was the British power which could decide who should be the ruler, how he should act and what he was supposed to perform. We record many instances where the English paramount power could play fast and loose with the native rulers, when they imposed such terms and conditions on them, in a word in line with the spirit of English paramountcy. They however failed to respect Khasi polity and Khasi tradition.

In 1857, W.J. Allen was deputed by the Government to Khasi and Jaintia Hills to prepare a report on the administration of these hills. In 1859, on the recommendation of Allen, as per his report of 1858, it was decided to require the execution of an Agreement by each ruler on his succession and in return to confer a Sanad on him. Apart from these general agreements, the opportunity was taken to obtain special agreement as to the cession of mineral products and of waste lands. Such Agreements were executed by the State of Nongstoin and all the minor states except Nongkhlaw, Nobosophoh and Pamsanngut. According to Aitchison, the above Agreement included an undertaking not to lease or transfer land to any Bengali or European with the consent of the Deputy Commissioner. In fact, Allen suggested to the Government for a permanent lease of all the lime quarries, that the owners would receive half the benefit arising from the sale, lease or other disposal of such minerals.

However, Keith Cantlie observes that all the Agreements written in Bengali were not the same. Twelve of these Agreements refer to those executed with the consent of the State

Dorbar, while the remaining ones were executed without any such consent. The Agreement executed between 1859 and 1862 with the State of Myllem, Bhowal, Nongstoin and Malai Sohmat were signed by the Assistant Commissioner. Some additional clauses were inserted into these Agreements wherein the Government was given the right to establish civil and military sanatoria, posts and cantonments.

In 1867, a general form of agreement was prescribed which incorporated all the clauses and provisions of the previous agreement.¹ In 1875, the general form of Agreement was modified by inserting minor changes and two other clauses.² In 1877, a revised form of Sanad was prescribed.³ If we compare this with the earlier forms approved in 1867 and 1875, most of the modifications and suggestions were verbal alterations only. In the first place the words, "persons other than your own Khasi subjects" have been substituted for the words. "The subjects of other Cossiah States or Europeans or natives of the plains," as expressing in a more comprehensive way than the original intention of the clause.

An addition was also suggested to clause VI which restricts the power of the Syiem to lease or transfer land in his jurisdiction. The Government felt that the condition was not without precedent as "it has been taken from the Bengali Agreement executed by U Hajar Singh, Syiem of Myllem in 1859, a document which does not appear to have been included in Volume I of Aitchison's Treaties. Under the terms of this Agreement, the Syiem would have no power to lease lands to European or Bengalis without the sanction of the Government.⁴ The object of this provision was, as can be seen from para 7 of W.J. Allen's letter No. 877, dated 22nd September, 1858 to the Government of Bengal, to prevent European and other outsiders from obtaining concession from the Khasi Syiems without the approval of the Government. The British, with good intention, perhaps felt that some of the Khasi rulers were still, as then, very ignorant and instances of undesirable exploitation in and near the Station had come to light. As Khasi custom does not permit alienation of land to foreigners, the Lieutenant Governor was constrained to issue orders that no lease or transfer of land in a Khasi State to European or natives of the plain would be recognised unless

made with its previous approval. It appears there was an impression that existing Clause V was sufficient to cover and control leases, etc., of the kind referred to, but the Lieutenant Governor thought that it was not clear and, therefore, considered the insertion of Clause VI necessary to make the position more clear. The revised Clause as drafted, restricts the acquisition of land even by Khasi subjects of another State without permission. Such acquisitions not infrequently led to trouble between rival Syiems.

In Clause VIII, it was proposed to substitute the word "Control" thus bringing the Clause in conformity with the existing practice under which the Local Government had hitherto inflicted punishment on a Syiem for violation of any condition of the Sanad without reference to the Government of India.

It was also proposed for the insertion of a Clause regarding jurisdiction in matrimonial suits. This Clause, however, will be inserted in the Sanad served even to those Syiems who have agreed to an insertion of such a clause.⁵ The Syiem may, therefore, accord his assent and his agreement to the trial of suits for divorce and other matrimonial cases arising between Native Christians who have been married in accordance with the Christian Marriage Act of XV of 1872.⁶

It was suggested that, if at the time of the death or deposition of the previous Syiem, there existed any lease of State products such as lime, coal etc., granted by the Syiem, as referred to in Clause IV which had not come under the terms of the previous Agreement or Sanad, or if any areas should be set aside for the growth of trees for Government use in accordance with Clause VI, such a clause may be inserted, if necessary.⁷

In addition to Clause IV regarding wastelands, being lands at the time of cession unoccupied by villages, cultivation, plantation, orchards, which the British Government may wish to cede or lease as wastelands, it was suggested that the Syiem should also agree to the cession, on the same condition, on the expiration of the existing leases of lime, coal and other mines, metals and minerals and of such waste lands of the State as might have been leased by any of the Syiem's predecessors. This clause was perhaps to be inserted only

when any lease existed which has been granted by the Syiem to any private individual.⁸

It was felt necessary that in future a clause, may be inserted for acquiring land for railways. Reference may be made to two petitions from the Sirdars and others of Mawlong for the acquisition of certain lands in that State for the construction of Dwara Therria Railway.⁹ As an answer to the petitions, the Government of India stated that the Government would have the right to require Native States to surrender lands for the construction of railways and would not be bound to pay compensation or to make railway companies to pay compensation for such lands, but would only do so at its discretion in exceptional cases. The Government upheld that the objection of the Sirdars were entirely untenable and the fact that the land taken up for the Ichamati Terminus shall or shall not be given back to the State and that too, would depend on the orders passed on the cause, according to the notice served to them.¹⁰ It was further suggested that although the orders of the Government of India afforded sufficient authority for the acquisition of lands in Khasi States for railway purposes, it would appear desirable that for wide information of the Syiems and others concerned, specified provisions to this effect shall be embodied in their Sanads. Hence it was suggested that the following words may be added in Clause VI of the form of Agreement approved in 1875 which runs:

“If Government wishes at any time to construct a railway through the territory of . . . I or we shall provide the land required for the purpose free of cost, except that of the compensation awarded by the Deputy Commissioner to the actual occupiers of occupied land, and shall help Government as much as possible.”¹¹

The Government also proposed that this clause, regarding acquisition of land for Government use, should also be inserted, not only in the Sanads, but in the Parwanas served to the Sirdars, Lyngdohs and Wahadadars as well.¹²

On the receipt of the Sanad from the Chief Commissioner for delivery to the newly elected Syiem, the Deputy Commissioner would issue a notice to the Syiem to appear in person.

The Deputy Commissioner would then make over the Sanad taking the Syiem's receipt for the same. No duplicate agreement would be executed by the Syiem.¹³ We learn from records available that some Syiems could not come in person. It might be for this reason that some Khasi States did not figure in the official list of the British. This order would be based on the orders of the Government of India in the Foreign Department contained in letter No.194 dated 10th November 1875 para 5 which runs:

“ . . . much confusion and difficulty will in future be avoided if, on the succession of a Khasi chief the terms on which the succession is recognised by the British Government, are thrown into the form of a sunnud conferred upon the chief instead of an agreement taken from him ”

The confirming authority mentioned in Clause I was the “Lieutenant Governor.” In 1875 and 1877 the words, “The Chief Commissioner of Assam” or “the Government of India” were substituted. Reference may be made to subsequent change of the confirming authority of the Sanads that they may be issued over the signature of the Chief Commissioner of Assam. The reason was, at that time, there was no Commissioner of the Surma Valley and Hills Districts but when a separate officer had been appointed to that post, the Lieutenant Governor was of the opinion that the Sanads of the Khasi Syiems shall be issued under the hand of the new officer. The Khasi states, according to the English were “small” and “unimportant.” Thus, the Sanads were first signed by the Viceroy, then by the Chief Commissioner and finally by the Deputy Commissioner.¹⁴

When Sanads were served under the seal of a higher authority and the Parwanas under the seal of a lower authority, it was not clear, how and why two such Appointment Letters could be served from two confirming authorities. In his letter to the Extra Assistant Commissioner (22.2.1936) Keith Cantlie himself confessed his doubt as to why some rulers should be served with Sanads and some with Parwanas. Khasi polity rightly points out that the Khasi rulers, whether the Syiems, the Lyngdohs, the Wahadadars or the Sirdars have the same power and status. The Khasi states, therefore,

became confused. This was the well laid scheme of the English to reduce the power and status of the Khasi Syiems, Sirdars, Lyngdohs and Wahadadars, step by step, in proportion to the ratio of the increasing power of the English to hold the native states under the control.

In 1853, the proposal was submitted by W.J. Allen that:

“ all future successions to the Chieftainships of the semi-independent Cossyah States (Khyrim, Nongstoin, Langrin, Nongspung) should be reported to and receive formal sanction of Government as is done already in the case of Cherra Punji, and that each Chieftain should be invested with a Killat and receive a Nazzur and Ikranamah being taken in return. The successions to the Chieftainships of the dependent Cossyah States should likewise be reported to the Government and a succession tribute be exacted as is proposed in the case of the semi-independent State.”¹⁵

It may be noted here that the Khillat consisted of a skull cap, a pair of shawls and one coral necklace. The Nuzzar and Ikranamah consisted of one hundred rupees.¹⁶

Later, the grant of Sanads was limited to nine principal States — Sohra, Khyrim, Nongspung, Langrin, Myllem, Maram, Myriaw, Nongkhlaw and Nongstoin.¹⁷ However, in 1875, the Chief Commissioner brought to the notice of the Government of India that among the nine States mentioned above, whose Syiems received the Sanads from the Government, the three States of Sohra, Khyrim and Nongspung were the most important.¹⁸ On 15th April 1875, Colonel Bivar observed that the grant of Sanads signed by the Viceroy of India was a distinction which should be limited to the three States of Sohra, Khyrim and Nongstoin but the other Syiems should receive from the Local Government.¹⁹

It was not till 1878 when the Government of India called for a report from Colonel Clarke, the Deputy Commissioner of the district. He recommended that no distinction should be made between the several rulers or Syiems whose positions, politically speaking, in every way similar, and, that a Sanad in every case should be signed by the Chief Commissioner.²⁰ The practice of reporting the succession of the Syiems to the

Government continued till 1888 and the Government thought it necessary that succession to Syiemship should be reported and thus the practice was dispensed with. Besides, since "the so-called leading States are, however, very petty both in size and in importance," till 1878 Sanads were signed by the Chief Commissioner. Later, they were signed by the Commissioner of the Surma Valley and the Hill Division. The Parwanas were, however, signed by the Deputy Commissioner.

After the Sepoy Mutiny, the Government of India Act 1858 was passed, by which, the rule of the East India Company ended and the direct rule of the Crown commenced. Section 2 of the said Act states:

"India shall be governed by and in the name of Her Majesty"

The Queen's Proclamation of 1st November 1858 gave a fillip and a high hope to the Native States, because it assured:

"the Native Princes of India that all treaties and engagements made with them by or under the authority of the Honourable East India Company are by us accepted and will be scrupulously maintained and we look for the like observance on their part. We desire no extension of our present territorial possessions and we will permit no aggression upon our dominions or our rights to be attempted with impunity. We shall sanction no encroachment on those of others. We shall respect the rights, dignity and honour of native Princes as our own; and we desire that they as well as our own subject shall enjoy that prosperity and that social advancement which can only be secured by internal peace and good Government . . . We know and respect the feelings of attachment with which the Natives of India regard the lands inherited by them from their ancestors and we desire to protect them in all rights connected therewith subject to the equitable demands of the State, and we will wish that generally in framing and administering the law, due regard be paid to the ancient rights, usages and customs of India"

But the solemn assurances of the Queen's Proclamation only intrigued the people. The rights and privileges of the people were not respected and the Agreements with the rulers were not honoured. The Proclamation was upheld more in its breach than in its observance.

Let us examine the clauses of the Sanads, and the Parwanas and the reaction of the Native rulers to the same. In the first place, the Sanads and the Parwanas would bring all Khasi rulers under subjection. Syiemship or Sirdarship or Wahadadarship or Lyngdohship appeared to be a 'gift' from the English rather than a traditional customary right. Besides, all judicial adjudication of the Khasi rulers were to be reported to the Deputy Commissioner Khasi and Jaintia Hills or any English authority as the case may be. Traditional Courts were undoubtedly on the wane.

Secondly, the Khasi rulers had to surrender their rights to the English. The English Government was given the right over the natural products of every State whether lime, coal, minerals or trees, though half the profit would be given to them. The occupation of any land would be a monopoly of the English. This goes against the tradition where the land belongs to the children of the soil.

Thirdly, the clauses and provisions were framed or modelled to suit the administrative convenience of the British Officials for the extension and the maintenance of the empire. This relegated the status of the Khasi rulers to the background.

Lastly, the Sanad also gave the right to the British to dismiss any ruler, who may be found unfit according to the English norms.

The people bitterly resented the arbitrary provisions of the Sanad but the Khasi Rulers and the people in general could not as yet rise to the occasion to fight back against the English rule, who according to them, was dominating. We may agree with Cantlie who observes that, it was not till 1921 when the Khasi rulers could show signs of disfavour to the English pattern of administration. A Memorandum to this effect was presented to the Government based on some substantial arguments.

Firstly, the Syiem has no right to alienate land or minerals without the consent of the people (*ki khun ki hajar*). Secondly, even if the Agreement of 1859 were executed with the consent of the people, it was not certain who constituted the Dorbar. Thirdly, if the agreement and the consent of the people have been secured, it was done through ignorance. The Khasi rulers then were mostly illiterate. Fourthly, permanent leasing of waste lands would be detrimental to the economy of the people who used to practice shifting cultivation. Fifthly, the right of establishing civil and military cantonments or health resorts on land, free of rent would be unfair to private owners. Sixthly, the Order issued by the Government in accordance with Clause I of the Sanad concerns the Syiem alone and not the people. Seventhly, some Khasi Syiems opined that these State Dorbars have the ultimate authority to decide cases, except the heinous crimes as pointed out in the Sanad under the Indian Penal Code, but this authority had been taken away from them. Lastly, the Syiem has no right whatsoever to get half of the profit arising from the minerals in Ri Kynti or even in Ri Raid land. If the Ri Raid lands are situated in the village, it would be the people who would have the right to receive such a profit and those who constitute the State Dorbar. Any benefit from the forests must go to the Dorbar of the village or the Raid.

If we examine the Sanad from another point of view, we find that the Sanads and Parwanas have, in most cases, distorted the custom and tradition of the people. First, the children of the soil or "*Ki khun ki hajar*" were given the right to appeal to the Government, if the verdict given by the Syiem was dissatisfactory. Thus, the power and influence of the Syiem and the Dorbar, which according to tradition is held sacred, would lose its importance. Secondly, the surrender of criminal power of the Syiem to the Government, has definitely decreased the status of the Syiem. This may be due to the fact that the Syiem had no police force of his own. The scheme introduced by Act V of 1861 was the employment of a highly qualified officer in each district exclusively on police duties. With regard to the constitution of the force, the Government of India lay down the following principle, to be adhered to, in the proposed scheme of reorganisation:

“The Government of India consider it essential for the efficiency of the Assam administration, that there should be one body of police for purely civil duties and another for quasi-military work, the latter composed of a soldier like class of men fairly drilled and properly armed and equipped for frontier service and the whole under European supervision.”²¹

Thirdly, if half of the profit arising out of the sale or lease of the natural products, is given to the Syiem, this may go only to the personal benefit of the Syiem and not for the welfare of the children of the soil. Fourthly, laws governing Khasi States should be framed and enacted according to the customs and traditions of the people. But the illiteracy of the Khasi rulers and the superior power of the English enabled the English to frame laws convenient to them and subsequently, these foreign laws governed the Khasi States. The growth of laws and conventions, perhaps, was beyond the scope of the understanding of the Khasi Syiem. Fifthly, giving the British Government the right to establish civil and military sanatoria, cantonments and posts in any part of the country rent free, cession of lime, coal and minerals also to the Government on condition of receiving half the profits arising from their sale or lease or disposal, means the surrender of the sovereign right to the British in their own Hima or State. In addition, if the political sovereignty is taken away from the Syiems, the fifty percent share of profit given to the Syiem would be of little value. Lastly, waste lands or unoccupied areas such as “Ki Law Sorkari” or “Law Shnong” must be in every Khasi State, for the general public which should be under the supervision of the “Syiem and the Hima.” But the Sanad gave the right to the English to occupy these waste lands. In short, the Sanads and Pawanas, whatever might be the terms and provisions, trampled down and changed the colour of the custom and the tradition of the people.

According to Aitchison, Rajen Singh of Nongkhlaw abdicated in favour of Jidor Singh. The latter died in 1855 and the succession was disputed between Rajen Singh and Bor Singh a distant collotal relation of Jidor Singh in the female line. Rajen Singh died before the dispute was settled and as Bor Singh was considered to have no claims of family

which was objected to by many of the Sardars, the Government returned the country. The Government however, felt that it should consider the best mode of tracing its steps with respect to this Khasi native state.²² Mr. Allen however added "an expression of regret" that the Home Authorities had determined on placing:

"... the fine and fertile district of Nongkhlaw again under a native chief."

Mr. Allen also admitted that the general feeling of the people was in favour of native rule as he said:

"I have visited the Nungklow district and have done my utmost to ascertain what the wishes and feelings of these rude mountaineers really are, and after much enquiry I have arrived at the conclusion that notwithstanding all the advantages they have desired from our direct management, they wish for a native chief."

In spite of the fact that:

"Nongklow district is salubrious and productive and well suited to European troops, Her Majesty's Government are not insensible to the advantage of encouraging European colonization in such places at Nungklow... but such engagement can be given only when it consists with the primary obligations of justice to the chiefs and people of the country."²³

In accordance with the strong reason felt in favour of native rule in Nongkhlaw, the Government desired that immediate steps be taken for placing the:

"Nungklow District under the Government of a Native Chief, elected in the manner suggested by Mr. Allen and subject to certain restrictions."²⁴

With reference to the appointment of a successor Mr. Allen in compliance with the request of the Imperial Government, reported on how the election to Nongkhlaw state should be conducted and what restrictions should be placed on such a native ruler.²⁵ Mr. Allen suggested, therefore, that a Native Chief may be appointed with limited powers and placed

under the general control of the political officer at Sohra. As he said:

“Such a chieftain elected under such conditions as these would, I think, give satisfaction to the people, and the Principal Assistant Commissioner would be able to do much towards the development of the country, and the amelioration of the condition of its inhabitants.”

As to the restrictions, the Government felt that these would improve the internal administration of the Nongkhlaw state. Bor Singh became the Syiem of Nongkhlaw subject to certain conditions. Thus, an appointment letter was issued to the Syiem of Nongkhlaw and his successors as follows:²⁶

(i) “The Rajah is to consider himself under the general control and authority of the Political Officer at Cherra Punji, to whom he must refer all disputes between himself and the Chieftains of other States, and he is clearly to undertake that he holds his appointment under the authority from the British Government, which reserves to itself the right of removing him from office and of appointing another Chieftain in his stead, if he should fail to give satisfaction to the British Government and to the people of the District.

(ii) “The Rajah must reside in the Nongklow district and he is to be permitted to decide in open Dorbar, with the assistance of his Muntrees, Sirdars and Elders according to the ancient and established customs of the country, all civil and criminal cases occurring there, are beyond the cognisance of the police, and which only the people of Nungklow district may be concerned. All cases in which Europeans and inhabitants of the plains or of the Cossyah States as parties are to be tried by the Political Officer at Cherra Punji.

(iii) “The Rajah is to obey orders issued to him by the Political Officer at Cherra Punji and to make over on demand to the local authorities all refugees and civil and political offenders coming to, or residing in, the Nungklow district.

(iv) “The Rajah is to furnish information regarding the Nungklow district and its inhabitants, whether he

may be required to do so by the Government officers, to render every assistance in developing the resources of the country: to give every help and protection in his power to the Government officials and travellers passing through or to settlers residing there, and to use his best endeavours to facilitate intercourse and trade between the people of the country and British subjects and the people of other Cossiah States.

(v) "The British Government reserves for itself the right of establishing military and civil Sanatoria, cantonments and posts, in any part of the Nungklow district where they may be required of occupying rent free, and land that may be required for these or other Government purposes, and of opening roads in any direction through the country, in which matter the Rajah must render his assistance when required.

(vi) "The Rajah must make grants of the waste lands in Nungklow upon the same terms as these may be adopted at the time being by the British Government in granting out its own waste lands."

In this connection, mention may be made of the Agreement executed between the English and the Syiem of Myllem. U Mile Sing Syiem, where a Khasi Syiem for the first time, renounced his sovereign and personal rights to the Government and from which political developments took place to shape the subsequent history of the hills till date. The Agreement runs:

"Whereas it was stipulated in the agreement entered into by me, Melay Singh, Rajah of Mooleem, under the 19th March 1861, with the British Government, that the right of establishing civil and military Sanatoria, and cantonments, within my country should remain with the British Government. Whereas Lieutenant Colonel J.C. Haughton, Agent to the Governor General, North East Frontier, under the instruction of the said Government has selected, for the purpose of civil and military Sanatoria, etc., the land hereafter described. I hereby renounce, with the advice of and consent of my Muntrees and the heads of my people, all sovereign and personal rights therein to Her Majesty,

the Queen of England and the British Government. It is however, stipulated should the proprietors of any of the lands within the limits here-inafter described be unwilling to cede or part with their land to the British Government, the said person shall continue fully to enjoy the same without impost or taxation as here-to-fore, but that in all respects the jurisdiction and sovereignty of Her Majesty, the Queen of England and of the British Government, and the officers of Government, duly appointed, shall extend over the said land and over all persons residing there on and to all offices committed there within.”²⁷

It may be said, the above agreement shaped the course of action for the selection of the future capital of the British in the hills and further developments took place.

On the selection of Shillong as the new District Headquarters, T. Cajee, writes:

“... is now a matter of history as well as the subsequent decision to build the “Civil Station” on the slopes of Iewduh instead of the original decision to locate it on the slopes of the Shillong Peak itself. The Civil station was started between the then existing Khasi villages of Mawkhar and Laitumkhrah which became as it were, satellites of the new Administrative Headquarters.”²⁸

Showers wanted to make it clear that in selecting a site for these hills:

“We are not to confine our views to the wants of a small station or a military sanatorium. The question must be considered with reference to the large and increasing European population in Assam and Cachar and the advantage of encouraging residents there to establish, not weather retreats in these hills. Occupation of them by European settlers could draw out the commercial resources they possess, and it would introduce an intercourse with the native inhabitants which would fix their loyalty, and by rendering the country secured from further insurrection, would afford for the province of Assam a safe military base.”²⁹

In another letter, G.D. Showers recommended that the Government should encourage by every available means :

“ . . . the formation of a station in some agreeable locality of easy access, which would attract to it European settlers and invalids. Hereafter when the District becomes annexed to some Commissioner’s Division the Sudder Station of the Division should be in these Hills. The Commissioner’s office and establishments would attract trade and population and call out more rapidly the resources of the District . . . If the Civil Officer be hereafter moved to Yedeo a Munsiff could be at first required to carry on the Civil duties at Cherra Punji. The office might probably be abolished when the offices were fully established at ‘Yedeo’. The political duties could be carried on as well at the new station as at Cherra Punji . . . ”³⁰

R.T. Rymbai writes that the town of Shillong, according to the original survey,

“ . . . was to have been located on the plateau of Pamnakrai, on the southern slope of the peak where the recess of the Pahsyntiew is seen to this day. This site was abandoned for the inadequacy of water supply . . . The valley where Shillong now nestles is on the northern side. It was chosen because of the abundance of water supply then when it was covered with dense forests. There was no settled habitation, known by the name Shillong till the British came to select the said valley as their headquarters in 1864 when they found that Cherra Punji was too wet for their health and convenience. There were then a few scattered villages in this valley known by the name of Laban, Mawkhar, Laitumkrah, etc., of which Laban was the most well known and to this day, Khasis from the interior would say on their way to Shillong that they are going to Laban and on their way back that they are returning from Laban not Shillong.”

From 1864 onwards progress had been made towards transferring the public offices (civil) of the Cossyah and Jynteah Hills “from Cherra to Yedeo”.³¹ There were however some impediments as to the transfer of the Sudder Civil Station of

the Cossyah and Jynteah Hills from Cherra Punji (Sohra) to Yeudeo (Iewduh) because of the delay in completing the building to the 'Kutchery' or the Deputy Commissioner's office³². Simultaneously, the Government had sanctioned for the construction of other suitable buildings at Iewduh as we understand from the following letter:

"... the Lieutenant Governor's sanction to the expenditure of rupees 500, incurred in excess of the amount authorised in November last, in constructing at Yondoe suitable buildings which are intended to be let out as shops as an inducement to tradesmen to settle at that new station... rupees 216 which was estimated will be realised as rent from the tradesmen by whom these buildings are to be occupied may be carried to the credit of the Government."³³

When the station was shifted from Sohra to Shillong or Youdeo, the Government felt the pressing requirements of the Public service, and thus sanctioned two experimental offices, one at "Youdeo" and Shillong and the other at Jowai. There had also been a line between these two stations.³⁴ The Deputy Commissioner's office was thus constructed in 1866 and Shillong became the District Headquarter of Khasi and Jaintia Hills District. Rules for the grant of lands at Shillong were framed by the Government, according to which it says:

"The new station in the Cossia Hills though including land hereto before appertaining to several villages will for official convenience be called Shillong."

Four descriptions of land are included in the limits of the "Station":

I. Land purchased by Government reserved for public purposes.

II. Lands purchased by Government available to private parties as building sites.

III. Lands purchased by Government unsuited for building but available to the public for rent or purchase for cultivation and other purposes.

IV. Land containing the property of the original owners of the soil.

There has been an indication that the Sovereignty of the Government over the whole of the lands ceded by the Syiem of Myllem would be complete, with his only exception that the single private owner of land within the boundary shall not be taxed in respect of that land so long as it is retained in his own hands.

A pattern of land holding has been worked out by the Government for the Civil station at Shillong according to the rules as follows:

Rule I: All unreserved land suitable for building purposes shall be divided into lots with a maximum area of ten acres, and sold to the highest bidder, at or above the upset price of Rs.50, per acre or let at the option of the highest bidder at the ground rent to be fixed hereafter equivalent there to for a term of ninety years.

Rule II: Lands whether sold or let for 99 years will be liable to any municipal taxes which may be imposed by order of the Government or any municipality, hereafter established with the consent of Government in accordance with rules sanctioned by the Government.

Rule III: Building, sites, if unoccupied by Government and substantial buildings of a description to be approved of by the officer whom the Government may vest with authority for the purpose (or municipality) for a period of three years, may be reserved. If sold, the purchase money will be returned, if leased, the rest will cease from the date of resumption.

Rule IV: Lands deemed unsuited as buildings sites may be sold by auction and attached to building sites, the same being put up at the set price of Rs.20/- per acre, or if leased for a term of 99 years the rent to be at the rate fixed by Government or equal to the yearly value represented by purchase biddings.

Rule V: If any building be erected on land of the description referred to it in the last rule, the same to be subject to approval and removal by the same authority, if considered from any cause dangerous or a nuisance to the community.

Rule VI: Land not suited for building and not annexed to building sites, may be rented for agricultural or

other purposes at a yearly rent of one rupee per acre. The conditions as to buildings contained in the last rule extend to such lands.

Rule VII: The Government right to resume lands for public purposes in the terms of act, or any similar enactment hereafter, is affirmed as a condition on which all lands are sold or leased.

Rule VIII: The private lands remaining in the lands of the original possessors within the stations, if sold or rented, will become subject to any local or municipal assessments that may be imposed, land rent exempted.

On the 6th February 1874, the Governor General by two Notifications declared Assam as Chief Commissioner's Province and declared it to be a Scheduled District.³⁵ Shillong also became the "Capital" of the Assam Province (Chief Commissioner's Province) from the 20th March 1874.³⁶

The Scheduled District Act (Act XIV) of 1874 was also passed on the 8th December 1874 and declared it to be in force in Assam on the 3rd November, 1877.³⁷

According to this Act, the Chief Commissioner is the "Local Government." He can issue the Notification in question with the previous sanction of the Governor General in Council. By Act VIII of 1874, the powers thus vested in the Local Government were assumed by the Governor General in Council who delegated certain of these powers under various Notifications to the Chief Commissioner. By Act XIV of 1874, extensive powers were conferred under Section 6, in the Local Government, which appear to include many Notifications.³⁸ The above section of the said Act states that the "Local Government" could, from time to time:

"(a) appoint officers to administer Civil and Criminal Justice, to superintend the settlement and collection of the public revenue and all matters relating to the rent and otherwise to conduct the administration within the Scheduled District."

"(b) regulate the officers so appointed but not so, as to restrict the operation of any enactment for the time being in force in such district shall be exercised or performed. But with reference to Clause 'B' of Section 6 of the Act,

it would seem doubtful whether the Chief Commissioner would be authorised to regulate procedure under enactments in which the powers of the Local Government had been assumed by the Governor in Council and not subsequently delegated to the Chief Commissioner in as much as the exercise of such powers by the Chief Commissioner might be held to restrict the operation of Act VIII of 1874, an Act in force in the Province of Assam."

When the Scheduled District Act was introduced, the Chief Commissioner communicated his views as to whether the acts which were "actually in force" should continue to be so under the operation of the Scheduled District Act:-

1. Acts of the Governor General in Council and unequivocally applicable to all India, such as the Penal Code and others.

2. Acts, both of the Governor General in Council and of the Bengal Council applicable to all Bengal including Assam — Act XXI of 1856 and Act IX of 1870.

3. Acts both of the Governor General in Council and of the Bengal Council applying to Assam — such as Act VIII of 1874 and Act VII of 1853 (Emigration).

4. Acts both of the Governor General in Council and of the Bengal Council specially extended to certain districts of Assam such as Act XIII of 1859 (Breach of Contract by workmen) and Act II of 1867 (Gambling)

5. Special regulations already enacted for Assam under 33 Vic. Chapter 3.

The Chief Commissioner would specially exclude all the three Hill districts, the Khasi and Jaintia Hills District the Garo Hills District and the Naga Hills District. In a word, the Chief Commissioner said, that he would be glad if instruction be given as to how far the restrictions imposed by Act VIII of 1874 or his powers as a Local Government would be affected by the introduction of the Scheduled District Act.

Colonel Keatinge cordially accepted the views laid down by the Secretary of State that subordinate services should be confined to the "natives of the country." However he was reluctantly compelled to propose that such a view may be modified in respect to the Province of Assam.³⁹ It would be

impossible that the officers should be non-European because according to him "they are savages or semi savages." European officers must be placed in places where there was a European community. He hoped the Native Magistrate may safely be made a Justice of the Peace and left to deal with Europeans. Till the time came, all the eight regular districts should be placed under European officers. Added to this, the Deputy Commissioner should devote much time to original judicial work and the original criminal judicial work may be left to the Assistants.

As stated earlier, the Government enacted the employment of a highly qualified officer in each district exclusively on police duties. With regard to the Constitution of the force, the Government of India laid down the principle in the proposed scheme on reorganisation according to Circular No. 21, dated 25th August, 1876.

In the same vein, W.W. Hunter explains :

"... when Assam was erected into an independent province in 1874, it was selected as the permanent seat of the Local Government. The Chief Commissioner resides there and also the heads of all departments in the administration. The area of the station is 7 miles in length by $1\frac{1}{2}$ to $1\frac{3}{4}$ miles in breadth. A considerable native population is already settled, and is increasing from day to day.... A printing press has been established from which issue all the official documents and reports of the Province.... The cantonments were occupied in 1875 by the 43rd Regiment of Assam Light Infantry with three outposts. The strength was of European officers, 16 native Commissioned officers, 80 non-Commissioned officers, 772 fighting men and 58 paid camp followers and non-compatants — Grand total 935...."

Added to this, Hunter observes that the Police Department has been part of British administration along with the Civil and the Military administration. It was divided into three thanas or police circles with two outposts:

1. Shillong with an outpost at Nongpoh
2. Jowai

3. Cherra Punji, with an outpost at Thariaghat at the foot of the southern hills.

The extension of the Bengal Municipal Consolidation Act V of 1876 was considered necessary in Shillong. After native consideration it was felt that the station of Shillong should be constituted a "*Union*" under Chapter III of the Bengal Municipal Consolidation Act. ⁴⁰ The Deputy Commissioner felt that Chapter III of the Act had covered all the requirements of Shillong and its provisions could be readily and easily carried out. Chapter III of the Act :

"... provides for the appointment of a panchayat or panchayats if the station be divided for the purpose of the assessment of the inhabitant, for the collection of such tax as may be assessed and its recovery in case of default ... it provides ... funds to meet the cost of improvement."

In continuation to the above opinion, the Deputy Commissioner felt, after discussion with some of the residents and after consideration of the matter, it would, however, be satisfactory to the residents and therefore, admissible to constitute Shillong a '*Station*' under Chapter IV. The Chief Commissioner accepted the proposal to constitute Shillong a "*Station*" under Chapter IV of the Consolidated Municipal Act V of 1876. Necessary preliminary steps would therefore be taken for carrying the proposal into effect in accordance with Sections 352 and 353 of the Act.⁴¹

In 1878 there was the constitution of a municipality in Shillong, the town Committee which was presided over by the Deputy Commissioner. It was desired by the suburbs of Mawkhar and Laban that they should be included within the Municipality but these suburbs were beyond the line of British boundary and there had been consequently a difficulty in the application of the Act within them.⁴² A notice to the effect including the above two localities within the Municipality was issued as required by Section 365 of the Act. No one came forward to declare himself against the introduction of the act excepting the Syiem of Mylliem who filed in a protest in regard to the villages of Mawkhar and Laban in his letter

to the Government dated 19th October 1878.⁴³ Yet in November 1878, the Syiem of Myllem agreed to accept the introduction and extension of the Municipal Act to Mawkhar and Laban and had agreed to pay the necessary rates himself for the people and to do anything and everything, required, provided his ownership and his authority otherwise than necessary to be waived for the purposes of the municipality.⁴⁴

Shillong had become the central point. Land had become an important factor as a result of which the Government had to lay down certain norms for the sale or lease of land or the property of Government in the station of Shillong as published in supersession of those notified in the Assam Gazette (3rd October 1874). All future sales or leases shall be made subject to the revised sales.⁴⁵ The propriety right of the Government over all the lands ceded by the Syiem of Myllem and not already alienated would be complete, with the exception that the single private proprietor who owned part of the land at the time of its cession shall not be taxed in respect of that land so long as he retained in this own possession.

According to rule I, unreserved lands deemed by the Deputy Commissioner to be suitable for building purposes, may be sold by auction to the highest bidder at or above the upset price of Rs. 100 per acre or may be let to the highest bidder for a term of 99 years at a ground rent the present value of which, calculated at 20 years purchase, shall not be less than the amount of his bid. The purchased money on lands sold to the highest bidder shall be realised according to, whereby the purchaser shall be required to deposit 5% at the time of sale and to discharge one half of the remaining purchase money within a period of one month and the balance within a period of three months from the date of sale.

Should the purchaser before the expiry of three months from the date of sale, express in writing his unwillingness or inability to complete the purchase of the land, one half of the remaining purchased money, may with the sanction of the Chief Commissioner be returned to him, but the deposit of 5% shall be forfeited.

Unreserved lands deemed by the Deputy Commissioner unsuitable for building purposes may be sold by auction to

the highest bidder at or above the upset price of Rs. 20 per acre or may be let to the highest bidder for a term of 99 years. Lands disposed of whether sold or let for 99 years will be liable to any municipal tax which may be imposed by the order of the Government or the Municipality. The purchaser or lessee shall be bound to expand in building with the limit of the land he purchased or leased, a sum fixed according to the scale proposed by the Government. The purchaser or leaser shall be bound to expand three fourth of the sum fixed on the main dwelling house, irrespective of out houses, fences, roads, gardens and others. The purchaser or lessee shall be bound to erect such marks as the Deputy Commissioner may direct, on the boundaries of the lands he purchased or leased.

Lands deemed by the Deputy Commissioner to be unsuitable for building purposes shall not be built upon, without the express permission of the Deputy Commissioner. Lands purchased or leased under the Government rules for building purposes will be liable to resumption by the Government and the purchase money or rent paid thereon to forfeiture if the purchaser or lessee does not commence bonafide building operations within the period of six months, and if the provisions of the rules were not fully complied with, within the period of one year from the date of sale, and no claim for compensation for any outlay which may have been made upon the said land would be admitted. Such penalty would however be subject to remission under the orders of the Deputy Commissioner if satisfactory reasons were given showing that the delay was unavoidable and temporary.

The Government however reserved the right to resume land for public purposes paying such compensation to the owner or lessee for his outlay upon it as to how the Deputy Commissioner found fit. The Government also reserved the right to alter the course of the public aqueducts and to make all necessary changes in their construction paying such compensation either for damage done to his property or for new land taken up, to the owner or leasee of the land through which they passed, as the Deputy Commissioner may think fit.

In awarding compensation, it was felt, the Deputy Commissioner should be guided by the spirit of one law on the

subject for the requisition of land for public purpose for the time being, in force, in the non-political districts of the province. On the payment in full of the purchase money in the case of land sold, or on the conclusion of the lease in the case of land leased, the Deputy Commissioner should take some written agreement either in the form attached to these rules or in some other form, from all purchasers or lessee under the Government rules, provided that nothing in such agreements should be held to release the purchaser or lessee from his obligations under the rules.

The Deputy Commissioner again should not allow land or other land specially reserved by Government or land owned by private persons, to intervene between the boundaries of the property sold under the Government rules. The Deputy Commissioner reserve any land with the sanction of the Chief Commissioner, reserve any land from sale under the existing land rules for the purpose of establishing a market thereon. Special rules regarding the occupation of such land by private persons would be framed from time to time.

Added to this, the form of *Patta* as referred to in Rule XIII has been published for wide circulation and necessary use:

“The Secretary of State for India in Council, in consideration of the sum of Rs . . . /- said by . . . (or to be paid annually by) . . . to the Deputy Commissioner of the Khasi and Jaintia Hills, both in virtue of all powers and authorities enabling him in that behalf, and so far as he lawfully can or may, by these presents grant and convey (or lease) unto the said . . . and his heirs, all that lot . . . No . . . comprising . . . acres of land suitable for building purposes, situate and being at Shillong in the district of Khasi and Jaintia Hills and bounded as detailed in the schedule below to be held and enjoyed by him (for a term of 99 years) subject to the conditions set forth in Rules III to XII (both inclusively) of the Rules for the sale of land, the property of the Government in the station of Shillong, published at page 524 of the Assam Gazette of the 16th October 1880.

Schedule

1. Land suitable for building purposes,

North

South

East

West

II. Land unsuitable for building purposes,

North

South

East

West

C.J. Lyall
Off.Secy to
the Chief Commissioner
of Assam

We may also refer to the Foreign Jurisdiction Act 1890, passed by the British Parliament which empowered His Majesty with the advice of the Privy Council which met on the 11th June 1902 to promulgate the Indian (Foreign Jurisdiction) Order in Council 1902. The above Indian (Foreign Jurisdiction) Order in Council, 1902 is important in so far as, acts enforceable in "British India" could not, be enforced on the 'States' except through the Indian (Foreign Jurisdiction) Order in Council, 1902. In 1913, when the Government wanted to enforce the Bengal Municipal Act 1884 in Shillong within the boundary of the State of Myllem, the Government had to issue Notification and to this effect, through the operation of the Indian (Foreign Jurisdiction) Order in Council 1902.⁴⁶

In 1935, when the Government of India Act was passed, Notifications were issued in the name of the "Crown Representative" but only through the operation of the Indian (Foreign Jurisdiction) Order in Council 1937. Such Notification was issued to include Kench' Trace and Rilbong within the "Shillong (Administered Areas) Municipality."⁴⁷

The Khasi rulers in a word, felt the strings of British Paramountcy. On one occasion, Rabon Singh, Syiem of Khyrim denounced the conditions imposed by the Sanads on the right of land acquisition and claim of minerals. The Agreement with the Syiem of Myllem was the beginning of the

infiltration of non-Khasis into Shillong and this the people feel, has caused not only economic exploitation but distortion of the traditional Khasi polity. The long standing results are well-marked even today. The authority of the British should have been only over the people and not over the land. The Land Reforms Commission (1970) states that neither the Syiem nor the Dorbar own lands in the Khasi Hills. A Syiem may own land in his private capacity as any other citizen of the 'elaka. Again the Sanads have relegated the status of the Syiem as mere servants of the English Government. but more so, it has relegated the status of the 'Bakhras' who are the 'Creators' of "Ka It Ka Hima". Undoubtedly, it has been the long felt sentiment of the people to rectify the wrongs done by the British and that the original shape of the tradition of the people should once again be brought back.

One may say that the English had violated the customary laws of the Khasis. The election or appointment of Syiems and the confirmation by the English Government was not according to the custom of the people nor was it for the good and welfare of the children of the Hima. It only serves the purpose of foreign rule. The English failed to understand the custom of the people, they failed to realise that:

“ . . . a Khasi Syiem is not a territorial ruler but his authority extends to the citizens of the State and not to the soil.”

Succession in Khasi States

Succession in Khasi States presents a very fascinating picture. Though the traditional practice may not be uniform in all the Khasi States, yet the fundamental idea of the democratic instinct of the people was not lost sight of and though unrecorded in pre British days, 'there is no doubt that 'Succession' in Khasi States was carried out in accordance with the tradition, customs and usages of the people. Various reports have, however, been given by British officers on the administration or succession in Khasi States. The English Government also thought it necessary that a thorough report on 'Succession' in Khasi States would be prepared to avoid conflicts, disputes and unnecessary delay, Capt. D. Herbert,

Deputy Commissioner was accordingly given the work in 1902.

In Khyrim State, one of the oldest Khasi States, the Syiem descended from the Syiem Sad, who is the custodian of all religious rites and ceremonies. Heirship in Khyrim is limited to the male relative of the Syiem Sad; the eldest brother of the Syiem Sad should become the Syiem, failing him his second brother, his third brother and so on and failing brothers by the eldest son of the Syiem Sad and so on. In case there is no male heir, the Syiem Sad herself would become the Syiem with the help of the elders of the State till a son is born to the Syiem Clan.⁴⁸ The electors may disqualify the first or any heir to the Syiemship for good cause according to Khasi religion and custom, such as bad character, permanent illness or infirmity or change to religion. Herbert, observes, "No heir apparent used to be recognised in this State." But during the Shad Nongkrem, an annual religious festival of the state, the Syiem would give the sword to the rightful person to cut the sacrificial goat. If there is no objection from the electors, he usually succeeds to the Syiemship after the death of the ruling Syiem. He is thus the heir apparent or the Syiem Khyannah (Junior Syiem).

The Syiem Sad is succeeded by the eldest daughter, failing her by the second sister, and so on, and failing daughter by the eldest daughter of her second daughter and so on.⁴⁹ Failing daughters and grand-daughters, the Syiem Sad is succeeded by her eldest uterine sister and so on. The electors may however disqualify the heiress to the office of the Syiem Sad if she has married a member of her own clan, if she has been guilty of adultery, if she has changed her religion and if she is infirmed for a long time.

Herbert gave the list of the six Raids. But Dr. H. Lyngdoh has given a more detailed account of the State of Khyrim as the Hima of Hynniew Lyngdoh (Six Lyngdohs) having six raids. They are Raid Nongkrem, which includes Myllichem Ngap, Myllichem Pdah, Warbah, Pyngrupe, Khyriem Mujat and Lyngdoh Nongkrem. The representatives to the Dorbar Hima from this Raid include one Lyngdoh from Lyngdoh Nongkrem clan, one Lyngskor from Myllichem Ngap clan and one Myntri each from Myllichem Pdah, Warbah, Pyngrupe and Khyriem Mujat. There are six more representatives from three Shnats

with the Raid — two Basans from Sohryngkham Shnat, one from Nongbri clan and one from Warshang clan; from Mawpdang Shnat there are two Basans — one from Pongrup clan and one from Warlarpah clan; from Mawlynrei Shnat there are two Basans — one from Pongrup clan and one from Synteng clan. Raid Nongbri includes Synnah, Swer, Mawthoh and Kharumnuid clan. Raid Mawlieh or Khatarblang includes Khongsngi, Khongwir, Nongrum and Lyngdoh Mawlieh clans. The representatives to the Dorbar Hima from this Raid include one Lyngdoh from the Lyngdoh Mawlieh clan and one Myntri each from Khongsngi, Khongsti, Khongwir and Nongrum clans. Within this Raid there are twelve Shnats, having their own Sordars, who can be elected by the people from any clan within the Shnat. These Shnats are Wahkhen, Nongblei, Nongkhlieng, Shabong, Lyngkhat, Majaw, Nongshken, Liting, Rynghneh, Pyrjat, Shitwit. Raid Mawshan or Raid Phra Blang and Sari Krai include Lyngdoh Mawshai, Nongspung, Mawthoh, Rynthang and Muwa clans. The representatives to the Dorbar Hima from this Raid are one Lyngdoh from the Lyngdoh Mawshai clan, and one Myntri each from Nongspung, Mawthoh, Rynthang and Mawa Clan. Within this Raid there are fourteen Shnats. Three of these Shnats Mawlat, Lynshing and Ryngh have their own Sordar, and eleven Shnats — Iapngar, Nambsha, Nongtham, Thaiang, Nongtaring, Nongkhap, Sukra, Umjong Moiong, Mukhod and Lumphuit have their own Basan. Raid Lawai includes Lyngdoh Lawai, Sohtun, Lawai Sawkher, Kharsati and Synteng Clans. The representatives to the Dorbar Hima from this Raid include one Lyngdoh Lawai clan and one Myntri each from Sohtun, Lawai Sawkher, Kharsati and Synteng clans. Raid Nongkynrih includes Lyngdoh Nongkynrih, Myllem, Nongrum, Rynjah and Nongkynrih clans. The representatives to the Dorbar Hima includes one Lyngdoh from the Lyngdoh Nongkynrih clan and one Myntri each from Myllem, Nongrum, Rynjah and Nongkynrih clans. Raid Nongumlong is replaced by Raid Mawlieh and Raid Mawshai. Raid Nongkseh is replaced by Raid Nongkynrih. The electors of the Syiem, therefore, include the Six Lyngdoh of the six Raids, twenty four Myntries of the six Raids. On the death of the Syiem or Syiem Sad or the Syiem Khyannah, the Lyngskor would for-

mally propose the name of the Syiem or the Syiem Sad or the Syiem Khynnah respectively. The heir apparent families live at Smit whereas the heir presumptuous families live at Lyngkyrdem.

Mylliem Syiemship was part of Shyllong State. According to Dr. H. Lyngdoh, Mylliem Syiemship has seven Raids — Raid San Kur which includes Lyngdoh Mylliem, Sohtun, Nongkhlaw, Kurkalang and Kharkongor clans. Raid Nongkseh which includes Thangkhiew, Rumnong, Nengnong and Lyngdoh Nongkseh clans: Raid Nongumlong which includes Nongneng Doloi, Nongneng Pator and Lyngdoh Shanpru clans : Raid Saw Shnong which includes Pathaw (Sadew), Lyngdoh Nongbsap, Sun (Marbisu), Rapsang (Markhan) and Majaw (Mawshanlang) clans: Raid Khatweimetabor includes Wartyrha Synteng Nongdhar, Synteng Umwi, Langstieh, Karlong, Rubon, War Nongjri, Kharmawphlang, Kharmon, Mylliem Umlong and Kharlukhi clans: Raid Nongbet includes Lyngdoh Nongbet, Lawiang, Songlang and Khyriem and lastly it includes the Phra Kur.

U Jor Manick Syiem of the ruling Syiems of Mylliem (5th March 1957 — 1st January, 1960) gives his observation that after the death of U Hain Manick Syiem, there were four contestants U Mur Manick, U Mani Singh, U Ron Singh and U Shan Singh. The British found it difficult to arrive at a definite conclusion as to who would be the rightful claimant to the Mylliem Syiemship. It finally decided to hold a popular election on the 11th March 1897 at Pynthor Umkhrah ground (now Polo Ground). Ron Singh was unanimously elected. This same experiment of popular election was adopted in other Khasi States but it was found that it created various problems. According to Herbert's report, the electors were the five Myntris of the Lyngdoh Mylliem, Sohtun, Nongkhlaw, Kharkongor and Kurkalang clans; the eleven Metabors from Langstieh, Kharmon, Kharlang Wartyrha, Mylliem Umlong, Kharmawphlang, Kharlukhi, Rubon, War Nongjri, Synteng Nongdhar and Synteng Umwi Clans, the San Shnong Myntri from Pathaw and Lyngdoh Nongbsap clans; the Basans from Nongkseh and Nongneng clans; and the Myntri Saw Kur who were the representatives from Lyngdoh Mawreng, Lawiang, Sohlang, and Khar Khyriem clans. Mani Singh however, gave

an additional list of twenty three more, of which Herbert did not accept on the ground that this additional list was given by an individual.⁵⁰ Herbert's report again says "A female Syiem would not rule; the electors would govern the State." The electors may disqualify the first or any heir to the Syiemship for good cause according to Khasi religion and custom such as bad character, permanent illness and infirmity. Ron Singh Syiem stated that "an heir apparent is recognised." But Herbert was of the opinion that:

"The recognition of an heir apparent dates from the time when the British Government called the name of the heir apparent for the recognition of an heir apparent is quite contrary to the Khasi tradition and custom."

The electors of Nongstoin (Herbert's report), consist of one Lyngskor, two Myntris, one Basan, thirty one Lyngdohs and twenty five Sirdars.

From the precedent of the Nongkhlaw State, the report says that the appointment of the Syiem has been by popular election but it has also been proved that popular election has not been successful. U Kine Singh Syiem made a statement to Herbert that the electoral college consists of the heads of the five clans, Lyngdoh Nongrum, Lyngdoh Nongbri, Lyngdoh Nongtariang, Diengdoh and Kharwanlang. Lyngdoh Nongkynrih, according to Dr. Lyngdoh, became the Bakhraw of the Hima and they were also given the right to elect the Syiem. Later Kharwanlang (Mawmluh) was declared British area, Diengdoh and Nongtariang went out to Sohra, Nongkynrih was no longer under the Hima of Nongkhlaw, Heirship in Nongkhlaw gives claim to succession to the four Lyngdohs of Nongrum, Nongbri, Mawnai and Kynshi clans.

On the 3rd February 1905, a Dorbar was held at Sohra with the Syiem, the Myntris and the twelve Kurs (Khatar Kur).⁵¹ It was unanimously accepted by the Dorbar that the heads of the twelve clans (Nongrum, Diengdoh, Khongwir, Shrieh, Marboh, Tham, Nongtraw, Majaw, Umdor, Dohling, Mawdkhep, Sohkhia) can nominate a Syiem if they represent the wishes of the whole Dorbar of the State and the people in general, otherwise, there must be popular election. Herbert was therefore convinced that the electors were the heads of

the twelve clans and "the representative elders." It was also reported by the Dorbar that a female cannot be appointed Syiem of Sohra. Heirship does not give absolute claim to succession because any heir may be disqualified from succession for reasons like tender age, bad character, insanity, permanent illness, change of religion, if he is a 'Iapduh' (one who has no near female relative to assist him in the performance of state puja and he declines or is unable to obtain adoption by another branch of Syiem family or one whose clan has become extinct). An heir apparent used to be recognised in Sohra but he has no special claim to succeed to the Syiemship.

The report says that in Maram, nomination originally lay with a Council of five Lyngdohs, but was subsequently vested in the hands of seventy two electors. Neither the people of the State other than the electors, nor the family of the Syiem have any voice in the nomination of the Syiem of Maram. It would seem that the electors have always been unanimous in nominating the Syiem and there is no established custom in the event of their not being unanimous. However, the electoral college consists of seventy two electors including 8 Lyngdohs, 50 Myntris, 13 Sirdars and one Basan.

The electoral college of Myriaw consists of four Lyngdohs; Lyngdoh Marngor (From Ramsit village), Lyngdoh Marngor (from Laitkseh village) Lyngdoh Lyngkhai and Lyngdoh Mawkyllup.

The electoral college of Rambrai state consists of three Lyngdohs Lyngdoh Mawdoh from Mawdoh, Lyngdoh Kynshi from Domspep, Lyngdoh Shyllong from Synnia, two Myntris — Myntri Rambrai and Myntri Matlah and fifteen Sirdars of villages.

The electoral college of Nongspung consists of five Lyngdohs — Lyngdoh Mawdkhep, from Raid Nongspung, Lyngdoh Jyrwa from Raid Lawkhla, Lyngdoh Marthong from Raid Umlyngmar, Lyngdoh Mawlong from Raid Umwai and Lyngdoh Mairang from Raid Mairang.

The electors of Mawiang consists of one Lyngdoh — Lyngdoh Nonglait Lai Kpoh (Nonglait) and five Basans — Basan Pariong, Saw Kpoh Nonglait, Basan Thabah (Law Byrtun), Basan Pariong, Shi Kpoh (Maw Ryllai), Basan Marwein (Umkrem), Basan Marthong (Laitnamlang). Later,

the Dorbar Hima of Mawiang elected fourteen Basans more to form the electoral college of the Syiem of Mawiang.

The electoral college of Nobosophoh includes four Lyngdohs, Lyngdoh Mawlat from Mawsynrap village, Lyngdoh Iawphniaw from Ksan Maw and Soh Sniang Rangblang village, Lyngdoh Paliar from Mawpat or Mawkyrda villages, Lyngdoh Thungnibah from Mariem and Ksanmat villages.

The electoral college of Mawsynram consists of five heads of the five chief Clans — Malngiang, Marbaniang, Langpen or Syntein, Nongkynther and Nongsidiar. The five Bakhras from the five Kurs or Raids who represent their respective Raids elected the Basan of Malngiang to be the Syiem of the Hima. Since that time Malngiang Clan becomes the Syiem Clan and the other four Kurs are the electors of Mawsynram Syiemship.⁵²

We may refer to the claim raised by Broshon Roy Phanwanjah, that the Phanwanjah clan is one of the four clans, having the right to produce Syiem.⁵³ In the first place, he says that the first Syiem of Mawsynram was U Mairang of Phanwanjah clan and that for many past years after, there had been no Syiem from the above clan as the candidates could not get the majority of the electors. Secondly, he also says, that during the time when U Babon Singh was elected Syiem of Mawsynram, Col. P.K. Gurdon, Deputy Commissioner, in 1905, accepted U Kir Singh, grand maternal uncle and U Chandramani (Shandramani) maternal uncle of Broshon Roy Phanwanjah as members of the Syiem family. An extract of Col. Gurdon's proceedings dated 14th January, 1905, runs:

The following members of the Syiem family attended the Deputy Commissioner's Dorbar:

1.
2.
3. U Kir Singh, son of Ka Bi.
4. U Chandramani, son of Ka Korbon.

Thirdly, on the 2nd October, 1937, U Broshon Roy submitted a petition to the Deputy Commissioner, Khasi and Jaintia Hills as a contending candidate for Syiemship. Broshon Roy points out that Colonel Herbert's report states that the

names of the Syiems of former times had not been handed down. But, however, there is no challenge that Kir Singh and Chandramani (Shandramani) were members of the Phanwanjah clan and against their names being written as members of the Syiem family or clan by Colonel Gurdon. Even the contending parties to the Syiemship from the Malngiang clan did not raise objection to the claim of the Phanwanjah clan.⁵⁴

The Shanniang clan of Mawsynram also claims the right to produce Syiem of Mawsynram.⁵⁵ There are reasons in support of the same. First, the extract of the petition dated 10th July 1900 from Ron Singh, Sorburai, Babon, Nibon Roy in Misc. Political Case No. 126 of 1909 states:

“That the state document charged by the Syiem to have been kept by us are one as a matter of fact kept by Ka Shaier Siem, the niece of U Mir Syiem, who was the last Siem of that family . . . The Dorbar decided that the income of that should be enjoyed by her, so the tolls are collected by herself or any other one she employs to do for her.”

Secondly, according to the Agreement dated 25th November 1927 in Misc Political Case No. 131 of 1926 between the Syiem the Myntries, Nam (Daughter of Ka Shaier) and the people of Mawsynram, it was agreed upon that the State Puja should be held at Syntoin (Syntein) in the coming month of April and that the materials required for the Puja should be given by Nam but the Puja should be done by the elders of the Syntein.

Thirdly, the original document of November, 1937 signed by Ijolin Mawsynram, Hara Singh Myntri and thumb impression of Ba Singh Myntri states that after careful examination and consideration, the signatures found clear proof that Ka Em was the grand-daughter of Shaier Syiem Sad and that her children and her grand-children had the right to be Syiem if the state (Syiemship) was willing. Therefore, the Syiem and the Myntris gave Em Syiem Sad the right to enjoy the tolls from Lait Dienglieng. If they broke this agreement, the Syiem and the Myntris would lose their respective offices.

Fourthly, in a letter from Ijolin Singh, Syiem of Mawsynram, Hara Singh Myntri, Johai Myntri, informed Ka Em and other children of Ka Nam Jaid Shanniang that the State Dorbar held on 19th March 1941 and 9th April 1941 fixed that the State Puja would be held at Syntein on 17th April 1941. So, she should provide and give the materials required for the Puja on that day, a point which goes in favour of Ka Shanniang Clan.

Lastly, the above clan opines that during the lifetime of Babon Singh, Syiem of Mawsynram, there was a strong attempt to close the mouth of Nam, the daughter of Shaier from calling herself a Syiem and a Kur (maternal relation) of U Babon Singh Syiem and to take away her right as a Syiem Sad to collect the tolls at Lait Dienglieng from people going to Bazar by U Babon Singh Syiem who promised to pay her a monthly maintenance allowance of seven rupees. Of all the women in Khasi State, only the Syiem Sad or other women of the Syiem Clan got maintenance or allowance from the State income either in the shape of tolls or cash. Hence, Shanniang clan has the right to be the Syiem.

The electoral college of Bhowal consists of the Basans of the eight major clans — Risaw, Thungneibah, Thungneinah, Nongruah Lamroin, Jawthir, Nongten and Rangdkhew.

The electoral college of Malaisohmat consists of the six heads of the six major clan Nyrwah, Kajied, Dew Khait, Nohriang, Ronsang and Dew sawbah. Dew sawbah clan lost its right, and the remaining five heads of the five clans form the electoral college.

In Jirang all male adults of the Wahlang clan form the electoral college. In 1946 Wahlang received the name Syiem. He was before known as Sirdar.

The Lyngdoh of Sohiong, Mawphlang and Lyngiong are elected from the Lyngdoh clans by all adults. Sometimes they were also elected by the Myntris, the Sirdars, the Lyngdoh and the Doloi of Mawlong were elected by male adults.⁵⁶

The Sirdar of Mawlong has been elected by adult males. The four Wahadadars were elected for a term of three years for Shella but there is only one Wahadadar at present, who has been elected by the people. The Sirdar of Nongwai, Mawdon, Pamsanngut and Dwara Nongtyrnem are elected by the peole for a certain period of time. But now the Sirdar

holds the office as long as he commands the will and majority of the people. Last of all the Dolois of Jaintia Hills are elected by the people.⁵⁷

The Khasis often make a reference to Ka Ri Ki Laiphew Syiem, Ki Khatar Dolois (the land of the thirty Syiems and the twelve Dolois). We do not exactly know that there were thirty Syiems and twelve Dolois in unrecorded time or whether the word 'Thirty' refers to many Syiems (Thirty is the expression in Khasi which means many). There have been various interpretations as to the number of Khasi rulers and Khasi States. R.T. Rymbai opines that when the British consolidated their position in the hills, they 'recognised 20 Dolois in Jaintia Hills, 16 Syiemship, 3 Lyngdohships, 5 Sirdarships known as British villages in Khasi Hills.⁵⁸ Gilbert Shullai has given the list of independent Khasi States which existed before the British as - (1) Bhowal (2) Dwara Nongtyrnam (3) Jirang (4) Khatsawphra (Nongkhlaw) (5) Langrin (6) Lyngiong (7) Myllem (8) Muharam (9) Mawsynram (10) Mawphlang (11) Myriaw (12) Mawiang (13) Malaisohmat (14) Mawdon (15) Mawlong (16) Muliang (17) Nongkrem (18) Nongstoin (19) Nobosohphoh (20) Nongspung (21) Nongpoh (22) Nonglwai (23) Pamsanngut (24) Rambrai (25) Sohbar (26) Sutnga (27) Sohra (Mawsmail) (28) Shella (29) Sohiong.⁵⁹

Four of these States (Sutnga, Muliang, Nongpoh and Sohbar) became British areas while the remaining 25 States were known as Khasi States. These twenty five Khasi States were given greater power during the British, both political and judicial because they had entered into Agreement with the British. The other British areas are (1) Byriong (2) Laitlyngkot (3) Laitkroh (4) Lakading (5) Myrdon (6) Mawmluh (7) Mawbah Larkhar (8) Marbisu (9) Mawthang Sohkhylung (10) Mawsmail Nongthymmai (11) Myntang (12) Nongbah (13) Nongkroh (14) Nongjri (15) Nongriat (16) Nongshluid (17) Nonglyngkein (18) Nonglait (19) Ramdait (20) Saitsoh-pen (21) Synnei (22) Sinai Mawsynrut (23) Tmar (24) Tyrna (25) Tynrong (26) Tynriang (27) Umniuh (28) Shillong (British area). "British Areas" are called Khasi and Jaintia Hills. Jaintia Hills (previously known as Sutnga) was under the Sub-Divisional Officer Jowai; Muliang was divided into three parts: (1) Jyrngam (2) Nonglang and (3) Nongriangsi all the

three areas came under the Sirdar : Sohbar came under the Sirdar; Byriong, Laitlyngkot, Laitkroh, Lakadiang Myrdon, Mawmluh, Mawbah Larkhar, Marbisu, Mawthang, Sohkhylung, Mawsmal, Nongthymmai, Mynteng, Nongbah, Nongkroh, Nongjri, Nongriat, Nongsluid, Nonglyngkein, Nonglait, Ramdait, Saitsohen, Synnei, Sinai Mawshynrut, Tyrna, Tynrong Tynriang came under their own Sirdar: Umniuh and Tmar were previously separated but later joined together under the Sirdar. The British area of Shillong had no Sirdar but under the direct control of the British, as per the Agreement of 1863, between the British and U Mile Singh, Syiem of Mylliem.

The Dolois, before the advent of the British, held office for life. The British at first limited the term to one year and later extended it to three years. This was again raised and the original system of making the term of the Doloi, a life time one, subject to good conduct and will of the people was revived. A Doloi was assisted by a Pator and a Basan. In religious matters, the Doloi is assisted by the Lyngdoh.

Normally each Khasi State had only one Syiem. But in some cases there were more than one.⁶⁰ There was the Syiem Rangbah (Senior Syiem) and there was the Syiem Khyannah (Junior Syiem). The State of Maram had two Syiems — the Senior Syiem from Syiemlieh clan and the Junior Syiem from Syiemiong clan, though both were held to be equal in rank, yet the Junior Syiem was considered as a Subordinate of the Senior Syiem. The practice of having two rulers in the State, it is presumed, was intended to check each other from exercising arbitrary powers.⁶¹ But this created conflicts and rivalry within the Syiem families. When the Senior Syiem was deposed, a successor was not elected in his place and the administration was placed in the hands of the Junior Syiem, Adhor Syiem. He too died soon after and he was succeeded by his heir, Kison Singh who was elected on 14th December, 1877. No doubt, there was opposition to his election by Jit Singh from the deposed Syiem but was defeated. The election of Kison Singh was confirmed by the Viceroy.⁶² Since then Maram had only one Syiem. In 1878, two petitions from certain inhabitants of Maram, praying for the appointment of two Syiems for Maram, were received but they were rejected.⁶³

In 1858, Allen in his report on the Khasi Hills said that

there were six Wahadadars in Shella. He proposed that four Wahadadars should be appointed to decide all civil and criminal suits, "With an appeal to the Principal Assistant Commissioner at Sohra and a special appeal to the Agent to the Governor General." Accordingly, it was laid down in 1858 that the Wahadadars should be elected by the people. This election should however be approved by the above Principal Assistant Commissioner. The appointment should be considered every three years and if the Wahadadars gave satisfaction to the people and the Principal Assistant Commissioner at Sohra, they should hold office for a period of three years. If their rule was dissatisfactory the Principal Assistant Commissioner could remove them and election would take place.⁶⁴

The Lieutenant Governor concurred with Allen that in future all successions to the 'Chieftainship' of Semi-independent Khasi States should, like Cherrapunjee, be reported to and receive the formal sanction of Government, each Syiem on his succession being invested with Killat and receiving a Sunnud and Nazzur and Ikranamah such as that suggested by the Officer on duty being demanded in return.⁶⁵ The same source also states that the enquiries made into the complaints preferred by the Principal Zamindars and inhabitants of Shella against the Wahadadars have satisfied the Lieutenant Governor that the Wahadadars who have been under the improper influence of two Bengalee advisers have failed to administer the affairs of the country in the manner required of them and that their oppressions and corrupt practices have justly dissatisfied the people till now "pray for their dismissal." It appears, wrote A.R. Young, Secretary to the Government of Bengal, that previous to 1829, the affairs of the twelve Confederate villages of Shella were administered by four Wahadadars who were elected by the inhabitants but on the death of the Wahadadars, the Wahadadars were irregularly and illegally appointed without the consent of the people.

In 1850, the Government of Bengal decided that the Wahadadars should be appointed like the Dolois in the Jaintia Hills. They should be elected by the people, approved by the Government and liable to be dismissed by the Government and that their appointment should be considered every three years.

In 1873, there were complaints against the Wahadadars. In 1874, Colonel Bivar reported that the affairs at Shella were unfavourable. He was therefore, not in favour of the existing management for the administration of the affairs of the State. He proposed two alternatives — first to do away with the four Wahadadars and elect only one as the ruler or to make the confederacy a British possession, pure and simple and administer in the usual British fashion. He also suggested the dismissal of two Wahadadars who were bad enough and responsible for mal-administration and the retention of the old system. Later, he suggested, that the Wahadadars on dying out, should not be replaced, and there by gradually the number of Wahadadars would be reduced from four to one.

In 1876, one of the surviving Wahadadars died. Bivar recommended that the remaining Wahadadar should be the only ruler of Shella. The Chief Commissioner approved of the proposal, subject to the condition that if any strong representation was made by any large section of the community, asking for any change, the matter should be referred to the Chief Commissioner. Bivar was disappointed because he was certain that there should be agitation and that the people would demand four Wahadadars. Bivar, therefore, urged upon the Chief Commissioner to appoint only one Wahadadar. The Chief Commissioner suggested Bivar to understand the pulse of the people of Shella whether there should be four Wahadadars or three Wahadadars ; whether the Wahadadar should be elected for life or whether the Government should depute an Officer to man the administration of the State. On these points, the Chief Commissioner felt that he should reserve to himself the right to accept or reject the views of the community.

On the 6th June 1876 a meeting was held to discuss the situation. The meeting unanimously decided to revert to the old practice of electing four Wahadadars.⁶⁶ The Deputy Commissioner reported the discussion of the Meeting. The decision was accepted by the Chief Commissioner, who there upon directed the Deputy Commissioner to hold a meeting of the people for electing three more Wahadadars. The meeting was held on the 22nd, 24th and 25th July. It divided itself into two groups, one consisting of 773 persons and the other 305. Each group set up its own nominees for the seats available for con-

test.⁶⁷ The minority group protested that the majority group consisted of the relatives and kinsmen of the candidates. The Deputy Commissioner held an enquiry and decided that two candidates must be elected from each group. The Chief Commissioner approved the election.⁶⁸ The old practice of four Wahadadars was thus revived again.

In the mean time, the four Wahadadars faced each other as distrustful rivals. The Deputy Commissioner found that the system of four Wahadadars in a small place would be undesirable. Colonel Peet, the Deputy Commissioner recommended that the system of four Wahadadars should be abolished and in their place, one ruler should be appointed. The Deputy Commissioner also suggested that should the Chief Commissioner agree with his view, he would dismiss all Wahadadars and place the State under the charge of a Special Officer having administrative experience. When all the affairs of the State were set right an educated ruler should be appointed. The Chief Commissioner was not prepared to accept any of the suggestion of the Deputy Commissioner. In the mean time, Colonel Peet was succeeded by Colonel Clarke. The Chief Commissioner directed the Deputy Commissioner to make enquiries on the spot and report. On the 16th March, 1889, the people of Shella met and decided to have four Wahadadars and that the present Wahadadars should be dismissed and fresh elections should be held. The Chief Commissioner accepted the decision of the people.⁶⁹

On the 12th May, 1889, the people assembled for the election of the Wahadadars. There was no unanimity. There were 22 candidates for the four seats nominated by different factions. The Deputy Commissioner ordered a poll. The assembly was about to disperse. There was a shout that the Deputy Commissioner should nominate four candidates and that the people would accept his decision. The shout was repeated by many people. The Deputy Commissioner called for a meeting of the twenty two candidates to ascertain their views, whether there would be election or nomination. Ten were for election and twelve for nomination. Since the majority decided for nomination, the Deputy Commissioner nominated four persons who were accepted by the people.⁷⁰ It may however, be observed that there were always four Wahadadars

for the Shella Confederacy. The origin of the need for four has yet to be traced out. The Khasi Hills District Council has now enacted a law doing away with four and there is only one Wahadadar now in place of four.

In Mawlong, U Jophor Lyngskor ruled alone and died in 1857. After his death, there were two claimants U Jee and U Shonglah, the sons of the deceased. C.K. Hudson, Principal Commissioner solicited that the two brothers might be permitted to conduct the duties of that office by turns for one year each. After a lapse of twenty years or so till 1877, a Dorbar was held by the people for the election of Lyngskor and it was decided that the affairs of the State should be entrusted to three Basans — U Binrai as Sirdar, U Kisno as Lyngskor and U Isingh as Doloï. The Sirdar would be in charge of Mawlong, the Lyngskor over Diangsiar and the Doloï over Nongduh.⁷¹ The Deputy Commissioner also accepted the proposal and three Basans were appointed.⁷²

The first election as stated earlier was held in 1863 for Myllem Syiemship. When Hajar Singh was removed by the people of the State. Mile Singh was appointed Syiem, though a distant relative of Hajar Singh. His election was confirmed by the Chief Commissioner, thus breaking the regular line of succession. However, though the same political experiment of election was adopted in the Khasi States, it was found to be fraught with much bitterness, and faction among the contestants. It was, therefore, suggested that on the death of the ruling Syiem, the family members of the Syiem should be asked to nominate a successor. The person nominated could become the Syiem if there was no objection against him. Election should be held only when a demand was made by the Dorbar. The Chief Commissioner agreed with the proposal.⁷³ By and large, Syiemship or Doloïship or Wahadadarship had changed considerably ever since the days of the British rule. But the British policy alone may not be responsible. Varied factors had been at work. The impact still exists.

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58. Report of the Land Reforms Commission for Khasi Hills, Shillong 1974, Chapter II p. 10.
59. L.G. Shullai, *Ki Hima Khasi*, Shillong 1975.
60. No. 1337 dated Shillong 15th October 1878 from Lt. Colonel W.S. Clarke, Deputy Commissioner Khasi & Jaintia Hills to the Commissioner of Assam.
61. Foreign Proceedings May 1875.
62. Foreign Proceedings March 1878.
63. Foreign Proceedings June 1878.
64. Foreign Proceedings June 1878.
65. Letter No. 593 from A.R. Young, Esq. Secretary to the Government of Bengal to W.J. Allen Member of the Board of Revenue on Deputation Fort William 28th March, 1859.
66. (a) V.V. Rao, B. Pakem, N. Hazarika — *A Century of Government & Politics in North East India (1874-1983)* Vol. II Shillong 1984.
(b) Foreign Proceedings August 1876.
67. *Ibid.*
68. *Ibid.*

69. Ibid.

70. Ibid.

71. E.W. Chyne, *Ka History jong Ka Hima Mawlong*, Shillong, 1977, p. 34.

72. *Foreign Proceedings* February, 1877.

73. *Foreign Proceedings* November, 1898.

CHAPTER VII

POLITICAL DEVELOPMENT

Lord Chelmsford took over the reins of the Indian administration in 1916 in the midst of the First World War and during the period when British rule in India was hemmed in from all sides by the great Indian unrest. To pacify the political aspirations of the Indian people, the Secretary of State for India, Edwin S. Montagu made the famous announcement in the House of Commons on the 20th August, 1917 that:

“The policy of His Majesty’s Government, with which the Government of India are in complete accord, is that of the increasing association of Indians in every branch of the administration and gradual development of self-governing institutions with a view to the progressive realisation of responsible Government in India as an integral part of the British Empire. They have decided that substantial steps in this direction should be taken as soon as possible I would add that progress in this policy can only be achieved by successive stages. The British Government and the Government of India, on whom the responsibility lies for the welfare and advancement of Indian people, must be judges of the time and measure of each advance, and they must be guided by the co-operation received from those upon whom opportunities of service will be conferred and by the extent to which it is found that confidence can be reposed in their sense of responsibility.”

In so far as Native States are concerned, the Montagu Chelmsford report makes an observation of the problem that they:

“... are thinly populated though they comprise among them some of the fairest portions of India”¹

The Policy of the British towards the Native States has changed from time to time from “Non-Intervention” to “Subordinate Isolation.” In spite of the variations and the complexities of the Treaties and the Sanads, the rights and obligations of the Native States, yet the report says that the States were guaranteed security from without and that the paramount power acted for them in relation to foreign powers and other States. When the internal peace was seriously threatened, the paramount power intervened. The native states, on the other hand, shared the obligations for the common defence. The effect of the British policy on the native states was the reaction of the native rulers who felt perturbed that a measure of sovereignty and independence guaranteed to them by the British Government had not been accorded in full and they were apprehensive lest in the process of time, their individual rights and privileges might be taken away from them. This was explained, however, by the report as follows:

“The expression ‘Native States’ is applied now, and has been applied during the past century to a collection of about seven hundred rulerships which exhibit widely differing characteristics Uniformity of terminology tends to obscure distinction of status We are convinced that it would improve and assist future relations between the Crown and the States, if a definite line could be drawn separating the Rulers who enjoy full powers of internal administration from the others”

The report gave a specific recommendation that the situation be reviewed in its proper perspective by the consent of all concerned, not necessarily with a view to any change of policy but in order to simplify, standardise and codify the existing practice for the future. The report also however, assured the Native rulers, that no constitutional changes which might take place, would impair the rights, dignities and privileges secured by them through Treaties, Sanads and Engagements or by established practice. In the light of this understanding, the report made a significant recommendation for the

establishment of the Chamber of Princes, which was accepted and inaugurated on the 8th February, 1921. Though "The Paramount power continued to be paramount and paramountcy remained as vague and undefined as ever," yet, the Chamber of Princes indicated that the days of isolation were over.²

Following upon the Montagu Chelmsford Report, the Government of India Act 1919 was passed, the Preamble of which:

"... would provide for the increasing association of Indians in every branch of administration... to the progressive realisation of the responsible Government in British India... And whereas concurrently with the gradual development of self-governing institutions in the Provinces of India, it is expedient to give to the Provinces, in the provincial matters the largest measure of independence of the Government of India..."

The Act did not make any significant change in the functions of the Secretary of State for India, but it did place certain restrictions, on his power over the "Transferred subjects." Under the Act, the administrative subjects were divided under 'Central' and 'Provincial.' The provincial subjects were further divided into 'Reserved' and 'Transferred.' The Reserved subjects were to be administered by the Governor in Council whereas the Transferred subjects were placed under the charge of the Governor acting with the Ministers.

The underlying principle of the division into 'Transferred' and 'Reserved' according to the report, was "to include within transferred subjects those departments which afford most opportunity for local knowledge and social service..." The 'Reserved' list included Police, Land Revenue, Administration, Justice, Irrigation and Canals, Famine Relief, Control, Newspaper, Forests, etc. The 'Transferred' list included Local Self-Government, Public Health, Sanitation and Medical Administration, Education, Public Works etc. In accordance with the Act, the status of the head of Assam was changed from that of Lieutenant Governor to Governor with an Executive Council. The Governor, according to the Indian Statutory Commission:

“ . . . combines in himself ordinary and extra-ordinary powers and duties. He is a part of the day to day administration, but he is also the authority in reserve who may have to override normal processes when he is concerned that the ordinary administration of the Province needs his special intervention.”

The political development of the Hill areas centered round the Montagu Chelmsford Report. The report made a specific recommendation that the typically backward tracts should be excluded from the scope of the Reformed Council, which in other words, suggested that no legislation could be enacted in the Reformed Legislative Council nor could any matter be discussed on the floor of the Council. It may be pointed here, however that Sir Charles Earle, Chief Commissioner of Assam 1912–1918 had assumed in discussion on the announcement of 1917 that all Hills District where the ordinary law was not in force, would be excluded from the Scheme. Legislation or administration of such areas would be carried on by ‘Regulations’ made by the Governor General in Council under the provision of Section 71 of the Government of India Act, 1915.

This political issue caught the attention of both English officials and leaders of the Hills. Two senior Officers, Messrs Reid and Barnes were strongly in favour of the exclusion of the frontier areas, pointing out that even in such matters as Education and Medical, the importance of having local men raised problems quite different from those of the plains.³ William Reid suggested that the Garo Hills, Mikir Hills and North Cachar Hills might be included within the Reforms. But, he also did not make it clear, whether excluded areas were to be financed by the Central or Provincial Government, though the Government of India said that the Provinces would be relieved of the expenditure.⁴

Sir Nicholas Beatson Bell, the Chief Commissioner of Assam (1918–1921), stated that it was out of the question to frame electorates for the backward tracts. Nevertheless, he considered that the backward tracts could be brought within the scope of the Reforms, because though un-represented in the Council, could and to a limited extent did, legislate for,

budget for and ask questions about them. As far as finance is concerned he said, that the plains might have to finance these tracts. His recommendation would, however, provide for a unified form of Government and that no subject connected with any of the Hill Districts would be included in the portfolio of the Minister.⁵

But the Government of India, in their Ninth Despatch did not accept the recommendation. Accordingly, Beatson Bell proposed the exclusion of the Naga and Lushai Hills the Frontier Tracts and Manipur as "Typically Backward Areas." The Khasi and Jaintia Hills, however occupy a peculiar position because partly it consisted of Khasi States, which were in Subsidiary Alliance with the British or in other words, "in varying degrees of dependence, through their Sanads, on the Paramount power" and it consisted partly of British territory. The Shillong Cantonment was a British enclave and part of the Civil Station, was also British but the remaining portion was not. Besides, the Municipal Law has also been applied to Non-British part of Shillong under the operation of the Foreign Jurisdiction Order.

Beatson Bell again pointed that though the whole of Assam was scheduled under the Scheduled District Act and that under Section 14 of Assam General Clauses Act (11 of 1915) it is provided that no local act passed either before or after, can come into force unless expressly extended under the Scheduled District Act or otherwise, yet the powers under that Act have not been for the purpose. Again under the Assam Frontier Tracts Regulation of 1880, the Government may direct the enactment in force in these areas, shall cease to be in force therein. In other words, the Chief Commissioner could withdraw any enactment in force in the Hill Districts, if it was found to be undesirable or unfit for the Hill areas with the assent of the Governor General in Council. Added to this, with the exception of Jaintia Hills, Khasi Hills was a deficit area. If the hill districts were to be yoked with the plains districts, the latter would have to bear the expenditure which it would naturally feel reluctant to do so.

The suggestion put forward by Beatson Bell could not be accepted by the Functions' Committee. In 1918, this Committee expressed:

“In our view if these special methods of control are necessary it is better not to make a pretence of bringing the tracts within the purview of the Reformed Scheme. We have not been able to find any satisfactory via media between the inclusion and the exclusion. We recommend, the reform that the tracts in question should be excluded from the jurisdiction of the Reformed Provincial Government. If our recommendation is accepted they (the excluded tracts) will be administered by the Governor himself as proposed in para 199 of the Joint Report.”

The Committee also suggested that some departments like Excise, Forest and Public Works may be treated as “Reserved Subjects.”

The Council, on the other hand, could not understand the constitutional hurdle of the areas and was unable to appreciate the administrative difficulties of the so-called backward tracts. It may be illustrated by the feeling of the Assam Association which gave evidence to the Functions’ Committee that:

“... the occupation of the areas concerned was necessitated by the duty protecting the plains and not by the demands, save in a few rare instances of the aboriginal inhabitants.”

The Government of India endorsed this view by stating that:

“... the deficit of the hill districts was only an incident of the reforms upon a particular area.”

The inclusion of the hill districts in the Reformed Council would give birth to grave issues both for the plain and the hill districts as well. The artificial union would speedily end up in divorce. From the financial point of view, a Committee of financial experts may have to be set up to demarcate the boundary of the departments to be borne by the plains districts or by the Central Government. The Reformed Executive Government has had little or no history in the backward tracts and therefore, though it asserted its views, generally little option was given. Therefore, the result is that, the very

close concern of the department responsible for political matters with many of the questions that arise has sometimes led to doubt and misunderstanding as to which is the responsible department. The fact that certain expenditure is definitely central or forced by the Centre has complicated the situation more.

A special attention was, however, given to Shillong, for, besides being the municipal seat, there has also been an attempt to bring the Civil station under the jurisdiction of the Calcutta High Court. In the Assam Gazette October 11, 1916, it says,

“Shillong has hitherto been governed by the rules for the administration of justice and police in the Khasi and Jaintia Hills, the Criminal Procedure Code is not in force and accused persons cannot claim as a matter of right to be defended by pleader . . . the Chief Commissioner has (now) come to the conclusion that the time has now come to put the administration of justice in the town (of Shillong) on a more advanced footing, and to approximate it more closely to the system prevailing in the plains district of the Province . . . The jurisdiction of the Syiem over his own subjects has not been disturbed, but in the Khasi portion (of the town) in respect of cases not triable by the Syiem, the code of Criminal Procedure has been introduced . . . accused persons are entitled to be defended by a pleader as a matter of right and their right of appeal has also been excluded.”

The Government of India, Act 1919, authorised the Governor General in Council, under Section 52A(1) of the Act to:

“ . . . declare any territory in British India to be a ‘backward tract’ and may by notification with such sanction as aforesaid, direct that this shall apply to that territory subject to such exceptions and modifications as may be prescribed in the notification.”

Acting upon this provision, the Governor General in Council declared:

“The Lushai Hills, the Naga Hills, the British portion of the Khasi and Jaintia Hills (excluding the Shillong Mu-

nicipality and Cantonment), the Garo Hills, the Mikir Hills (in Nowgong Sibsagar Districts), the North Cachar Hills, the Lakhimpur Frontier Tract, the Sadiya Frontier Tract and the Balipara Frontier as backward tract."

The Memorandum also states that on the advice of the Government of India, an express provision has been made in the statutory rules requiring a mandatory section in any provincial or Indian Law solely intended for these tracts, that it shall apply only as directed by the Governor in Council, and with such exceptions and modifications as may be made by him. A further provision enables the Governor in Council to direct that no act of the local legislature shall apply to these tracts, same as, or with such modifications and exceptions, as the Governor thinks fit. The Governor was also given great discretionary powers by the Assam Frontier Tracts Regulation of 1880 and Section 14 of the Assam General Clauses Act (11 of 1915). According to a passage in the Instrument of Instructions, the Governor was:

"... to take care that due provision shall be made for advancement and social welfare of those classes among the people committed to your charge, who, whether on account of the smallness of their number, or their lack of educational or material advantages, or from any other cause, specially rely upon our protection...."

The Governor exercises his power conferred on him by Section 49 (2) to frame.

"... all proposals which affect a 'backward tract' directly or indirectly, and in particular and without prejudice to the generality of this rule. When any case affecting a backward tract or tracts, shall directly or indirectly, come to the Governor, he shall, if the case relates to a reserved subject, consider the opinion of the member-in-charge and also (if the case has been brought before a meeting of the Council) relate to a Transferred Subject, he shall consider the opinion of the Minister-in-charge, and he shall then pass such order authorised by law as he believes to be in the interest of the backward tract or tracts concerned."

In this connection, we may examine the recommendation of the Government of India which modified the original proposals that the backward tracts should be divided into two categories — the Excluded Areas which should come under the direct control of the Governor, as per Section 7 of the Government of India Act 1915, and the Partially Excluded Areas which should come under the Governor acting under the advice of the Council of Ministers. The Government of Assam, on the other hand, recommend after a careful consideration that with the exception of the Shillong Municipality, the backward tracts should be excluded from the province of Assam in the new Constitution.

Speaking of the attitude of the people of Assam, we can understand that the members of the Legislative Council resented the Union of the hills and the plains. They demanded that the entire burden of the budget of the hills must be borne by the Central Government, particularly that of the Assam Rifles. Some members even went to the extent demanding a separation of the hills from the plains. An Assamese Responsivist remarked:

“If I read the signs and portents of the times correctly, I feel almost sure that the hill districts will be separated sooner or later, and I hope within about 5 or 6 years, and when this is done the case of Cachar will be a clear case . . . They are not within the jurisdiction of the Governor’s province or of the Legislative Council.”

Another Assamese Responsivist remarked:

“Sir, in our scheme it is submitted that the hill districts with the exception of the British portion of the Khasi Hills may be administered by His Excellency, the Governor, as the Agent of the Government of India and the whole expenditure also may be borne by the Government of India. If this is done there will be no administrative or financial difficulty even, when Sylhet is transferred to Bengal.”

An Assamese Swarajist then said:

“Before long Assam Valley will have to see its own way to disjoin itself from the hill district.”

It is very clear, therefore, that the plains have no interest whatsoever in the hill districts and the speeches of the persons belonging to different persuasions probably illustrate a distaste for bearing the cost of the backward tracts and:

“... a fear that the political advance of the province may be retarded either by the fact of their being yoked to the plains or that without the hills, Assam could not bear its present super structure.”

It is, however, strange that from 1920 to 1927, out of 48 questions traceable as bearing on the backward tracts, 20 of these questions may be taken to display the interests of the members of the native people of the backward tracts. Out of these questions asked, some concerned the rights of the hill rulers, some concerned the practice regarding arms, communication, judicial system, reserved forests, principles of education, intended labour, pay of a colie corps returned from France, Succession rights of the Indian Christians, system of explosive licenses for the lime quarries in the Khasi Hills.⁶

Let us then examine the views of the other officials. J.H. Hutton prepared a note for the withdrawal of the Hill Districts of Assam from the operation of the Reforms.⁷ According to him, if the hill districts be tagged with the Plain Areas:

“The hill districts would suffer serious detriment by being tied up to the politically more advanced plains district and the latter would have to suffer in the future by being joined with people of an irreconcilable culture in an unnatural union which can ultimately entail discomfort for both parties.”

If the Hills and the Plains be linked together under the Reformed Council, he observes that the interests of the hills must be sacrificed as:

“... their population is impecunious unlettered, rural and much too simple to compete with the plainmen in legal or political finesse.”

There is a marked difference from cultural point of view. He observed that the tribes are Indians only in “barest geo-

graphical sense" though they are included within "the political boundaries of the Indian Empire." Added to this, the killing of cattle or brewing of strong drink would be in acute conflict with the religion of the hills if there is any legislation prohibiting them from meat eating or brewing of strong drink. In a word, the hill man differs from the plains man in race, language, religion, culture, and social life. Thus, a political union may be unpractical. From the political point of view, the Hills so far have not produced suitable and educated leaders who could represent the interests of the people in the real sense and according to him again:

"... their representation in the Legislative Council is farcical."

In accordance with the Government of India Act, 1919 (S.84 A (2)), the Commissioner shall enquire not only into the development of representative institutions in India but also into the growth of education. It is on this point that the hills should be excluded from the scope of the Reforms. He observes:

"The lower primary education given to the hillman is in his own language and in so far as possible, suitable to his environment. There is not a single member either of Council or of the Education Department who could understand half a page of even one of the text books except in the case of Jaintia Hills."

According to him, the local dorbars or the creation of the self-governing communities would give reasonable opportunity for the development of the indigenous genius for village administration and of rudimentary co-operation between different tribes or among the people. The hill people according to Hutton:

"... are remarkable for decentralisation and individuality and for ability to manage their own affairs. The Hills already possess a great measure of local Self-Government and to bring them under the Council would be emphatically a deprivation rather than a benefaction."

He also observes that the Hills are an unprofitable possession and a deficit area with the exception of Jaintia Hills. The Hills were occupied by the English to protect the plains. The English should have no moral right to accomplish that end at the expense of the hills themselves. He concluded that the "safeguards" are inadequate and thus the administration of the Hills should be entirely separated from that of the plains with an entirely separate budget consisting of all the receipts from the backward tracts plus an annual grant to cover the difference between receipts and expenditure.

Hutton however, holds a different view of Jaintia Hills. The people of Jaintia Hills are richer, better educated, politically conscious, and they also pay income tax. It is undoubtedly a surplus area but Hutton observes that from the point of view of administration, if Jaintia Hills be included in the reforms and if the proposal of Mr. Parry be accepted for a separate Hill Division, Jaintia Hills which yield a surplus of revenue over expenditure, it would be a valuable asset towards balancing the hill budget. They are tied up to the Khasi Hills socially, culturally, linguistically and geographically. Hence Jaintia Hills cannot be included in the 'Conciliar Constitution.'

N.E. Parry also suggested the separation of the Hills from the plains.⁸ He however, dwelt at length on the position of the Lushai Hills. Untouched by Hinduism or Mahammadanism, the Lushais who are of Mongolian origin, "look down with distrust the people of the plains." He also draws the same conclusion of the other tribes that they:

"... develop on their own lines instead of handing them over to a council of foreigners on which they have no voice, let them slowly, and under guidance, work out their own salvation."

Parry, however, gives some other alternatives rather than place them under the Council. First, a hill division comprising all the backward tracts of Assam might be constituted with a Commissioner directly under the Governor of Assam, who, for the purpose of the Hills Division would be in a position of a Chief Commissioner directly under the Government of

India without any Council. This division would have an entirely separate budget whose revenue would consist of all the receipts from the backward tracts along with an annual grant from the Central Government. It would have the services of all the heads of departments, including technical experts, since it is still part of Assam. Parry feels that the safety and security of the tribes would be the safety and security of the whole of India. Secondly, a separate North Eastern Frontier Hill Province may be formed to comprise as many of the backward tracts in Assam or that of Burma which could be possibly included. A suitable head-quarter would be at Kohima which could connect both Assam and Burma.

C.E. Soames Chief Secretary to the Government of Assam remarked that the union of the hills and the plains would be unnatural. Hence, the hills should be separated from the plains.

It may be recalled that the Shillong Urban Constituency was the only constituency of the Hill areas in the Assam Legislative Council. The experiment of nominating a hillman to the Council was tried and a Garo by the name of Jangin Sangma Lasker was nominated in 1921. He got bored and got imperfectly acquainted with the language and proceedings of the Council and ceased to attend the Council regularly. From 1924, these areas were represented by a Welsh Missionary whose work was mainly confined in Khasi Hills. As such, he was not able to give a fair picture of all the tribal areas.

In 1921, Rev. J.J.M. Nichols Roy was elected as an independent candidate from the Shillong Constituency during which period, Nichols Roy moved a Resolution in the Council that the names of all opium consumers should be registered and that a pass would be issued to each for rationing of opium. According to Nichols Roy the sale and consumption of opium would be reduced within a period of ten years or so except when it was issued for medical purposes. In 1927, the Governor, Sir John Kerr offered ministership to Nichols Roy, but the latter agreed to accept it only on condition that the Bill introduced to stop opium smoking would be passed. The Bill was however passed by the Council but held back by the

Governor. The Governor conceded and Nichols Roy then became Minister for Medical and Exercise.

The Simon Commission

The Reforms of 1919 did not satisfy the national aspirations of the people of India. It was a difficult period for British rule in India on the one hand and the Indian demand for political advancement on the other hand. In November 1927, the Simon Commission was appointed to examine:

“ . . . the working of the system of Government, the growth of Education and development of representative institutions in British India and matters connected therewith and reporting as to whether and to what extent it is desirable to establish the principle of responsible Government ”

As far as the hill areas are concerned, the Commission embarked upon the task of finding a suitable constitutional formula to solve the problem of the hill areas. Officials and non-officials gave their opinion whether the hill areas should be included within the reforms or not. Let us then examine some of the views expressed by different people. In the first instance, Promode Dutta asked:

“Is it fair that 50,000 square miles of territory should be kept as a close preserve for about a million people while six and half millions should be concentrated in 27,000 square miles We had always looked forward to the material advantages which the vastness of the hill territories and its mineral wealth would afford in the fulness of time to the common benefit of the hills and the plains.”

He strongly favoured the inclusion of the hill districts within the Province of Assam and if:

“ . . . the inhabitants of Assam are not to have any part or lot in the administration of the backward tracts, why should we be made to pay for them ? If the backward tracts are to continue as parts of Assam they should be brought under the reforms.”

He also gave a suggestion that:

“If Assam was transferred to Bengal, the hill districts should be constituted into a separate unit to be administered by the Governor of Bengal as the Agent to the Government of India. If Assam was not transferred to Bengal, the hill districts should not be separated.”

Kanak Lal Barua, on the other hand, stood for a partial inclusion of some hill areas which included Khasi and Jaintia Hills, the Garo Hills and the Mikir Hills, the Lushai Hills, the Naga Hills and the part of North Cachar Hills. We may deduce that Kanak Lal Barua was planning for the strategic position of Assam with Shillong as well as the mineral and forest potentialities of Khasi and Jaintia Hills.

Mahammad Sadulla gave his suggestion by observing:

“In my view the Hills should be brought within the next constitutional advance but should be administered by the Governor acting as an Agent to the Governor General in Council and the cost of administration should be borne entirely by the Central Government.”

The Naga Club of Kohima in its Memorandum to the Commission said:

“We never ask for any reforms and we do not wish for any reforms.”

S.G. Nalle and Rev. L. Gatphoh of the British portion of Khasi and Jaintia Hills respectively were of the opinion that two constituencies for the Legislative Council of Assam be constituted, one for Khasi and one for Jaintia Hills. They suggested that the district should no longer be classed among the backward tracts because in the first place, in general literacy, the district stood second in the whole of Assam. In point of female education, it has been experiencing democratic institutions from time immemorial. Even the Sirdars and Dolois are elected. They felt that they could no longer remain aloof when the rest of India was making political progress towards self-government. They asserted their claims of their rights and privileges along with the rest of India.⁹

The Syiem Sohkha Ser Elaka of the British area of Nongwah expressed his regret of having been isolated and dismembered from the rest of the Khasi States for reasons beyond control. The Memorandum bitterly and painfully appeals to the Commission that:

“The organic structure of our ancient Syiem has thus been broken up. And we earnestly pray that the Statutory Commission will be pleased in their wisdom to cement what is broken.”¹⁰

The people of Jaintia sub-division presented an address to His Excellency, the Governor of Assam on the afternoon of November 9, 1928 on his visit to Jowai.¹¹ They drew the attention of the Commission that the British portion of the district should be included ‘without any reserve’ in the Legislative Council and protested against the idea of converting “the Khasi and Jaintia races” into a frontier tribe which, the Memorandum said, could have the effect of retreating their progress and of depriving them of their right. The people of Jowai wished to throw in their lot with the Council and with other people of the Assam Valley. The Governor, on the other hand, thought that the people would run the risk when they asked for the inclusion of the British portion of the district without any reserve in the Legislative Council. He felt that the representation in the Assam Legislative Council would be dearly purchased, if it were accompanied by disintegration of tribal customs. The problem presented before the Statutory Commission, the Governor observed, for solutions, was, whether they would be benefitted or otherwise, the extension of the privilege electing their own members to the Legislative Council. Referring to the objection of the use of the term ‘backward’ the Governor explained that the districts may be called ‘advanced’ or ‘privileged’ because of the position given to women and the democratic institutions which have existed from time immemorial.

The Governor of Assam also had the advantage of consulting the Rev. J. Ceredig Evans, a Missionary who had a vast experience of forty one years till then over the hills. Rev. Evans wrote:

“Whatever may be in store politically for these hills in the future, no great change should be considered at this stage in the history of the reforms . . . if the present connection with the Legislative Council, slender though it be, were continued for a further period, it would, I believe satisfy a great number of people . . . Brought into line with the other districts in the province this hill districts would develop far more rapidly in the future than it has in the past, but undoubtedly at the cost of the aboriginal tribes who now inhabit the hills. In Shillong town itself they have been pushed out and have to go year by year further afield to get land for cultivation. The same would in due course happen throughout the district. If the system of private property were introduced into the British villages, the Siems would probably follow suit and it would not be many years before foreigners enlarge a number obtained a permanent footing throughout the hills.”

Rev. Evans was, however, puzzled as to the correct proposal to be accepted for fear of exploitation over the local people, if proper safe guards were not provided by the Government. He therefore posed a question:

“Is it desirable to retain measures designed to maintain tribal individuality when the educated persons of the tribe are willing to run the risk of absorption? The policy of the British Government in the past has been to preserve the customs of the tribes and to leave them alone to work out their own salvation as far as possible even at the expense of the rest of the Province. This policy has continued under the Reformed Constitution. Is it to continue in the future?”

The Khasi Native states, on the other hand, held a different view altogether. One Memorandum after another was submitted to the Simon Commission objecting the inclusion of the Khasi Native States within the Reforms on the ground that the Khasi States were not conquered territories but in Subsidiary Alliance with the British. A leading Khasi newspaper of the period comments :

“In fact, the Constitution of the Khasi States being purely and genuinely self-governing and democratic in nature like the Athenian democracy, a reform of the Constitution of these States by any Commission or Committee is undesirable and opposed to the solemn proclamation of 1858 from the British throne from which their original Constitution rightly apprehended, there is no lack of room for any imaginable progress or improvement in the right direction.”¹²

In this connection, even the Butler Commission of 1927 said:

“We hold that the Treaties, Engagements and Sanads have been made with the Crown and that the British relationship between the Paramount power and the Princes (native States) should not be transferred without the agreement with the latter to a new Government in British India, responsible to an Indian Legislature . . . In particular, we recommend that the Viceroy, not the Governor General in Council, should in future be the Agent of the Crown in its relation with the Princes and that important matters of dispute between the States themselves, between the States and the Paramount power and between the States and British India should be referred to independent Committees for advice.”

Some citizens from the various Khasi States submitted a statement that the subject dealing with the Khasi States was more for the Butler Committee than the Simon Commission because so far no questionnaire had been sent to these States although they had been mentioned in para 310 of the Montford Reforms.¹³ The statement says that, the Khasi States were inclined to think, having no such princes or rulers as other Indian Native States, the administration being by the popular Dorbars or Councils, the Butler Committee might have left them as they could not be dealt with conveniently in any connection with the Council or Chamber of Princes.

In continuation to the above letter to the Chief Secretary, a Memorandum was presented to the Indian Statutory Commission by the Khasi States, according to the Resolutions passed

by the people of the Khasi States as well as those from British Areas in the Khasi Hills in various public meetings.¹⁴ First, the Khasi States felt that the district of Khasi and Jaintia Hills occupies a unique position in the Province of Assam because geographically, it is the centre of Assam and the seat of the Assam Government. Secondly, the Khasis have all along enjoyed self-government by far and away in advance of any reform that has been designed for the rest of India, whether the British or Indian States territories. Thirdly, they should not be considered 'backward' though they are 'conservative' and their institutions stand as 'models' for the rest of India. They would readily come to any goal of self-government. Fourthly, in judicial matters however, a good deal of jurisdiction have been transferred to the British Courts. All criminal cases of grievous character are triable exclusively by the British Courts. Only petty offences are triable by native tribunals in British communes. Again, native Courts have jurisdiction over civil disputes arising between common subjects of a state, irrespective of the variation of the subject matter of dispute, all civil suits between subjects of different States are triable by the British Courts. The Memorandum states that the Criminal Procedure Code, which is a guidance for the proper administration of justice is not followed by the Magistrate in Shillong and when it is followed at all, the interpretation thereof, is again left with those officers who act as Magistrates. This, however, creates a sense of insecurity and lack of confidence in these Courts. The Assam Government had all along opposed the proposal to place the Shillong Courts under the jurisdiction of the Calcutta High Court. The outcome is, cases where sentences of death were passed, were treated without due care and prudence. Under the existing rules, only such lawyers as received special licences are permitted to practice in the Shillong Courts, others have to obtain special permission for every case. License holders are junior lawyers. Exorbitant fees are exacted from the people. If better lawyers are to be taken, they have to be taken from outside, which means, that the people pay more as lawyers' fees than others in the plains. Inexperienced lawyers, may spoil people's cases. Thus, the Memorandum states that since the Khasis have been:

“... law abiding, civilised and accustomed to a great deal of legitimate freedom and independence they should not be subjected to such methods of administration which might suit only semi-barbarous ones.”

Lastly, the Memorandum states that though the Khasis would not need any reform in respect of self determination, yet:

“... they stand in real need of the reform of the British Courts here which administer justice to them considering that they are no longer behind others of the province, in point of civilisation and are more entitled to the best form of administration of justice by reason of their having been accustomed to be adjudicated upon by popular juries as well as by coming from purely democratic institutions.”

Rev. J.J.M. Nichols Roy, advocated for the inclusion of the Khasi and Jaintia Hills within the Reforms. In support of his view, Nichols Roy first of all observes that in general literacy, Khasi and Jaintia Hills occupied the second place with 7.64 percent. Secondly, in female education, the percentage was highest with 2.52 percent. He said, the most active ladies of Assam who took part in the election were the Khasi ladies of Shillong. Thirdly, from time immemorial, the Khasi and Jaintia Hills have had democratic institutions. Fourthly, the Khasis have more commercial relationship with the plains rather than with the Hills because they are surrounded on one side by the Brahmaputra Valley and on the other side by the Surma Valley. Fifthly, on the question of affinity with the plains, he agreed that if the Khasis do not have any racial affinity with the plains, they also do not have any racial affinity with the other hill tribes. As he said:

“Mental affinity of an advanced people is more with those who are advanced and civilised than with the people who are altogether uncivilised.”

The plains of Assam do not contain a homogenous people. There is not much affinity among many sections and castes in the plains. Sixthly, against the argument that it is a deficit

district, he suggests that Jowai Sub-division is paying and the Shillong division does not have any expenditure, if expenditure within the capital is not included. For example, the expenditure of Shillong-Cherra Poonjee road should not be included in the district expenditure because the road joins the capital with the Surma Valley. Sylhet is a deficit district but still Assam wants to keep it. Nichols Roy therefore, opines that, as Shillong is the capital of Assam and is within the district of Khasi and Jaintia Hills, it should not think of its deficit. Nichols Roy suggests that any law passed by the Legislative Council may be extended by the power of the Governor. He also advocates a certain amount of protection for the minorities and that protection would include the private rights which the people have on land. The Government, according to Nichols Roy, should be willing to give them a perpetual right and in some cases a free hold settlement. If this is done, the Khasi and Jaintia Hills districts will run no risk being under the Reforms.

The Government of Assam in its Memorandum before the Commission suggested that with the exception of the Shillong Municipality the backward tract should be excluded from the Province of Assam in the new Constitution. The exclusion of the Hill districts would preserve their individuality intact. Besides, the Assam Government resented the financial burden that they would have to bear for the hill areas. The exclusion of the hill districts could also save them from exploitation. The Government of Assam was convinced that for the interest of both the Hills and the Plains:

“... the present artificial union should be ended.”

The Government of Assam also made an observation that the hill districts of Assam occupied a very strategic position, and the safety and security of the hills would be the safety and security of the whole of India. In other words, if the hill districts were not well guarded, it could pose a threat to the rest of India. Therefore, the Government of Assam said:

“There was a time not long ago when attention was directed to that frontier, and the time may soon come when the frontier will become no less, if not more important for the defence of India than the North West Frontier,

the administration of which is a charge of the Central revenues.”

Yet, it is really strange why the Government of Assam wanted to exclude all the hill districts except the Khasi and Jaintia Hills district. Perhaps this might be due to the pressure of Nichols Roy or the strategic position of Shillong, as the Government said:

“Shillong is the headquarters of the Government of Assam and the Legislative Council Chamber is also situated there. Shillong, moreover, has a cosmopolitan population and for that reason the arguments which have determined the general reason of Government do not apply to the town of Shillong.”

Lastly, the Government of Assam gave a suggestion for a unified administration for all the hill areas of Assam by the formation of the North Eastern Frontier Province consisting of all the Hill Districts of Assam and the Arakan, Chittagong and Pakkoku hill tracts, the Chin Hills and the areas uninhabited by the Rangpang Nagas.

The Simon Commission accepted most of the recommendations of the Government of Assam. First, the Commission recommended that the typically backward tracts, except the Khasi and Jaintia Hills should be excluded. The backward tracts, however, would be classified as “Excluded Areas” and “Partially Excluded Areas.” But the Simon Commission did not specify which areas were Excluded Areas and which were Partially Excluded Areas, though, the Commission said, that the areas which had attained a high degree of civilisation would be Partially Excluded Areas, whereas, the Areas with a lower degree of civilisation would be Excluded Areas. Secondly, the Simon Commission recommended that the administration of these areas should be by the Central Government. Thirdly, the word “backward area” would be used by another terminology “Excluded Areas.” Fourthly, the Partially Excluded Areas would be represented in the Legislative Council. The Governor, who was the Agent of the Central Government would have the power to see what law or legislation passed by the Provincial Council should apply to them. But the Governor could act only in con-

sultation with the Cabinet to be regulated by rules made by the Central Authority. The similar mode of taxation in the plains would also be applicable to these areas. The revenue received from these areas would be spent for the benefit of these areas and in addition, the Government should see that additional funds required, should be provided.

The backward tracts, according to the Commission, should be totally excluded because, they would not be economically exploited by a more superior people and efficient administration would be given to them. The Commission also felt that by totally excluding these tracts they would no longer be a 'nuisance' to the plains as they were in the past. The typically backward areas were deficit areas and the Provincial Government would not have the resources to bear the expenditure of these areas.

When the Government of Assam received the report of the Simon Commission, the Government of Assam referred the recommendation to Dr. Hutton. On the advice of Dr. Hutton, the Government of Assam accepted most of the recommendations of the Simon Commission. First the Government felt that it would not be in a position to meet the financial deficit of the hill areas if they were included within the Provincial Council. Secondly, if they were politically joined with the Plains, the destiny of the hills people who were less advanced, might be doomed. Thirdly, under the impact of Christianity, the hills people preferred to be under the European officials rather than under the plains officials. Lastly, the Government of Assam strongly opined that the expenditure of the hill areas should be borne by the Central Government.

The Government of Assam was doubtful whether a suitable candidate would be found to represent the Excluded Areas in the Legislative Council, that is, one who would be educationally and politically fit. Secondly, the Government of Assam did not agree to the proposal of the partial exclusion of certain areas. It recommended the total exclusion of the Lushai Hills, the Naga Hills, the North Cachar Hills, the Frontier Tracts which were to be administered by the Governor. The Khasi and Jaintia Hills and the Garo Hills, may, however, be partially excluded. Thirdly, the Government of

Assam was not clear which areas were "Excluded Areas" and which areas were "Partially Excluded Areas" because the Commission did not specify them. Lastly, the Government of Assam strongly suggested that:

"Its aim should be not to retain the aboriginal areas as picturesque survival but to ensure them development by absorbing them with the rest of the Community. The process of assimilation has been going on and to put obstacle in its way would be a retrograde step."

The Government of India did not totally agree with the Government of Assam as to the total exclusion of the hill tracts as it might submerge them into insignificance. Hence, it suggested a practical exclusion of the areas to enable them to avail of the avenues of development, and the Governor would also be helped by the Provincial Government and the Legislative Council if there was any need for it.

The Secretary of State for India agreed with the Government of Assam, "without compromise or equivocation." He rejected the recommendation of the Government of India. The Royal Empire society expressed:

"It is clearly impossible to place the administration of these tracts under the control of the Legislature in which they are not represented and which cannot be accepted to display any interest in them It is necessary, therefore, to entrust the backward tracts to the care of the Central Government which must use the Provincial Government, as Agent for the administration of these areas. The Commissioner's scheme, however, obviously requires further definition before it can be applied to particular localities. It is impossible to go into the details here but we wish to emphasize the importance of finance In future the funds of the administration of these tracts, as well as their development, where necessary, will have to be provided from the Central revenue."

Each tract, the Committee suggested, should be administered by the Governor with a definite direction from the Central Government to specify the financial settlement and the time limit involved therein.

When there was constitutional dilemma and dissatisfaction all around, Sir John Simon thereupon suggested to the Home Government to invite representatives of both British India and the Indian States to a conference before final decisions were to be made. We may refer to a London paper which observes:

“Sir John Shore and his colleagues have done the obviously right thing in proposing the inclusion of the position of the Indian States in their purview of their recommendations for the future Government of British India and in proposing a Round Table Conference between the British Government and representatives of both British India and the States (natives) before the coming of India Bill is laid before a Parliamentary Committee. This step should go far to reconcile such critics in India as reconcilable.”¹⁵

The suggestion of Sir John Simon was accepted by the British Cabinet and on 31st October, 1929, the Governor General Lord Irwin made a momentous announcement “that the natural issue of India’s constitutional progress . . . is the attainment of Dominion Status” The First Round Table Conference met in November 1930. The only representative to present the cause of the hill areas of North East India was Chandradhar Barua from Assam. He did not actively participate in the Conference. It might be due to this that Assam was not represented in the Second Round Table Conference and Third Round Table Conference. The White Paper published in March 1933, accepted the classification of the hill areas into Excluded and Partially Excluded Areas. The expenditure for the Excluded Areas should be non-votable.

This issue of the hill tracts was also discussed in the House of Commons. Colonel Wedgewood opined that the hill areas should not be forcibly merged with the plains district, since the people of the hill tracts are still “aborigines” and should be protected at all costs from the more advanced plains people. In his opinion, the Indian businessman:

“ . . . wants to get them as cheap labour and if these people are to be saved from the hell of civilisation the only change they have is British protection and British control and to be free from the insidious advances of the rich people in the province to exploit them It is not fair

to put these tribes for hundreds of years behind the Indians today into the unrestricted hands of people whose object must be to exploit their labour . . . they should be developed from themselves.”

The question of the hill tracts and the plain districts assumed a debatable issue then, and this has been and is still a question to be decided by time.

It may be mentioned here however, that with the dawn of the 20th Century, the Khasi rulers, whether the Syiems, the Sirdars, the Lyngdohs or the Dolois, had become aware of the need for a united political platform where they could put their heads together and from where they could voice their opinion. The seed of this political awareness was sown though it took some time hence to attain maturity. The Khasis were conscious of their rights and privileges, they were conscious of the need for the preservation of their social and cultural identity. The political activity of the Khasi and Jaintia Hills began in the real sense of the term during the period of the Reformed Constitution. The political and constitutional development in India, as a whole, made Khasi thinkers to seriously come forward with their views and opinions. This caught the attention of the English, who, undoubtedly had to recognise the Khasis as an indigenous asset.

As early as 1900, the ‘Jaintia Hills’ was born.¹⁶ The founders were Hamilton Gatphoh, Rev. Siang Blah, Rev. Samuel Shallam, Rev. Shai Rabboh Manners, Messrs Jones Passah, Kiang Gatphoh, Kiri Dkhar and Siang Kdung Laloo. Dr. R.K. Tariang tells that the above information is from the manuscript by Mr. Hamilton Gatphoh, handed over by Rev. L. Gatphoh, who was the first M.L.A. from Jaintia Hills under the ‘New Reforms.’ In 1931, according to the same source, the Jaintia Union changed the terminology to ‘Jaintia Dorbar’ in a unanimous resolution passed at Iung Walieh, Lulong. It was agreed upon that there should be regular meetings of the Dorbar and that a Constitution be framed for the Jaintia Dorbar. Funds should also be raised for the construction of a Hall or ‘Iung Ialang,’ where meetings of the members from all quarters of Jaintia Hills could be held. In 1934, the Jaintia Dorbar functioned according to the procedure

of the Constitution of the Dorbar. In September 1940, it was felt necessary to revise the Constitution of the Dorbar as a result of the emergence of sub dorbars under the parent Jaintia Dorbar. This task was given to Messrs Iang Pariat, L. Khyriem, W.S. Shullai and Dr. K. Tariang and on the 12th December 1940, the Revised Constitution of the Dorbar was accepted.

The Khasi native States wanted to know their position, they felt that their identity should be preserved accordingly. On the 27th July 1923, a notice was circulated to the Syiems, the Wahadadars, the Lyngdohs, the Sordars by the Syiem of Myllem, the Syiem of Nongkhlaw, Rai Sahib Hormu Rai Diengdoh, Kishore Swett, Assian Lyngdoh, Rev. J.J.M. Nichols Roy and Wilson Reade that a Khasi Durbar called "The Khasi National Durbar" would be convened from the 4th to 6th September 1923 at the residence of J.J.M. Nichols Roy, Goalapatty.¹⁷ The notice appealed to the Syiems, the Wahadadars, the Lyngdohs the Headmen and others to come with a spirit of unity for the maintenance of their customs and traditions, the administration of justice, the laws for the enforcement of the land tenure system and many others in the face of the then changing political and constitutional situation. The Durbar would be called the Khasi National Durbar, the objectives of which would be to bring about social and political consciousness. As per Section IV of the rules adopted, the first office bearers of the Dorbar were:

President — U Join Manick, Syiem Sohra
Vice President — Rai Sahib Hormu Rai Diengdoh
Secretary — Rev. J.J.M. Nichols Roy
Assistant Secretary — U Hajom Kissor Singh
Treasurer — U Chandranath Roy

The Executive Committee Members were:

1. U Kishore Swett
2. U Joab Solomon
3. U Assian Lyngdoh
4. U Ronjit Syiem Khyannah (Khyrim)
5. U Mohon Roy Rynjah (Agent — Khyrim)
6. U Wilson Reade
7. U Nimor Basan Myntri (Myllem)

8. U Bor Kasain Syiem Khyannah (Khyrim)
9. U Jyrthiaw Dolo
10. U Sabu Rai, Agent (Myllem)
11. U Mahe Singh, Syiem Khyannah (Myllem)

The second session of the Dorbar was held on the 11th-13th August 1924,¹⁸ J.J.M. Nichols Roy in his speech on the 12th August, 1924 remarked that in the first place, the Khasi rulers must be politically educated to be aware of the rapid changes in other parts of India and thus be in line with them, keeping the traditional political values intact. On the other hand, Nichols Roy also felt that the British Government should be aware that the Khasi States, however small they might be, had the capacity and ability to man their own State. Secondly, he felt the necessity that Khasi rules and laws be codified and that they be accepted by all the Khasi States. The Khasi States also felt that they should maintain the virginity and the indigenous character of the traditional social and political system. The speeches of the Khasi rulers and leaders like Olim Singh, Syiem of Khyrim, Mohesh Swett, Wadar of Shella, Joab Solomon, Rai Sahib Hormu Rai Diengdoh, Sib Charan Roy, Join Manick, Syiem of Sohra and others show that the Khasi National Dorbar wanted to be firm forging ahead till the desired objective is achieved. The first task which the Khasi National Dorbar did was to complete the codification of the "Laws of Citizenship in Khasi States."¹⁹ (Ka Ain jinglong khun Ka Hima ha ki Hima Khasi), the "Land Law in the Khasi States."²⁰ (Ka Ain Bri Khyndew ha ki Hima Khasi) and "The Law of Inheritance in Khasi States." (Ka Ain hiar bad ioh pateng ha ki Hima Khasi).²¹ There was doubt and there was criticism from some quarters. But Sir John Kerr, the Governor was highly impressed and he remarked:

"I have recently read with much interest the proceedings of the Khasi National Durbar which was held in Shillong a few months ago, and if I understand that movement right, its founders and supporters are in favour of developing the national genius of the Khasi races on independent lines."²²

Working together was the need of the hour, the spirit of unity indeed should be the guiding spirit.

“U Lurshai” observes,

“ . . . Let us remember Oh Land, that we are thirty Syiems but we are just a handful in the vast ocean of India”

The Khasis might have been aware that British rule in Khasi and Jaintia Hills had contributed its fair share indirectly by giving impetus to the need of Khasi unity. Besides, this period also saw the development of English Education through the Literacy Movement started by Babu Jeebon Roy. It kindled the political awareness tremendously, economy developed, trade increased, urban factors crept in, they all facilitated the essence of political unity among the Khasi people.

Thus the idea of unity simmered deep and for the first time, there emerged on the 2nd May 1929 the concept of “The Federation of Khasi States”²³ (Ka jingsyrdoh lang ki Hima Khasi). S.G. Nalle explains the feasibility of the Federation which would be for the welfare of one and all, keeping one’s own identity intact. Nalle observes that the Khasis could form a Federation which would have:

“ . . . no intention of erasing Khasi Syiemship and the sovereignty over the respective Himas The presence of a Federation will enable us to codify the laws and do many good works for the country, which the Syiem in his own personal capacity will not be able to do so. When we have decided to form a Federation, we can frame a Constitution, we can have representatives from all the Himas.”

At the end of the meeting, it was proposed and agreed upon that pamphlets would be printed and circulated to explain the need of the Federation. Five persons were entrusted with the above task. These were Rai Sahib Hormu, Rai Diengdoh, Rai Mohan Diengdoh, Joab Solomon, S.G. Nalle and Ajra Singh Khongphai.

The Simon Commission, no doubt, opened an important chapter in the history of the Khasi States so much so, consciously or unconsciously by bringing all people coming from the same origin, speaking the same language, having the same

customs and traditions to a united stand and it was on this stand the Federation of Khasi States framed its Constitution.²⁴

The year 1933 made the Federation have its proper shape. In presenting the address of welcome to His Excellency, the Viceroy, Lord Wellington when he visited Shillong on the 3rd October, 1933, the ruling Syiems, Lyngdohs and Wahadadars of Khasi Hills urged upon the Viceroy, that, with the impending constitutional changes in the whole of India:

“... the position of the Khasi States which are in Subsidiary Alliance with the British Government may also be defined and that they also find a place among the units of the Indian States which may be members of the Federal Legislature.”²⁵

The Address also states the trust and the reliance put by the Khasi States on the British Government in settling their future relations with the paramount power according to the report on the Indian Constitutional Reforms placing the Khasi States in direct relations with the Viceroy through the Political Agent, who would work exclusively for the States.

In reply to the Address of the Khasi States, the Viceroy, in the first place, referred to the stamina and virility and competence of the Khasi people which enabled the “Republics” to maintain their freedom. In this connection, the Viceroy pointed out that the Treaties and Sanads which have been scrupulously respected in the past, would still stand as a secured guarantee for the future. Secondly, speaking of the representation of the Khasi States along with the other Indian States in the proposed Federal Legislature, the Viceroy suggested that the population of the Khasi States, taken individually, would be very small in comparison with that of the larger states in India, and the population, according to the Viceroy, would be a factor to be taken into account, when determining the rights for such representation. He further remarked:

“... for some time past, you have been considering the feasibility of closer association amongst yourselves with a view to constituting a federation of the Khasi States. I

would commend this idea of your most earnest attention and this is obviously the first and most useful step which should have the way towards your entry into the greater federation.”

Thirdly, in reply to the question that the Khasi States would be placed in direct relation with the Viceroy through the Political Agent, the Viceroy observed:

“... the administration of your States has been carried out most inefficiently and wisely in the closest association with the Government of Assam and that the practice is hallowed by traditions and had stood the test of time. However, the question as to how far this relationship that you suggest is desirable or practicable, will receive the most careful consideration of both myself and the Government of India”

Lastly, as an answer for the preservation of the ancient rights and customs, the Viceroy assured:

“... you have been protected under the shield of the British Crown and have been loyal to His Majesty, the King Emperor, I assure you that whatever changes may occur in this Constitution of this great country, this shield of His Majesty will continue to cover and safeguard His people in retaining the ancient rights and privileges”

Accordingly, on the suggestion of the Viceroy, the Khasi States met and passed the following resolution:

“We the Chiefs of the Khasi States, the Syiems, the Lyngdohs, the Wahadadars, the Sirdars on behalf of the Khasi States, whom we represent have now associated and made a Federation of these States — Khyrim, Myllichem, Nongkhlaw, Cherra, Nongstoin, Nongspung, Maharam, Mawiang, Myriaw, Mawsynram, Langrin, Rambrai, Nobosohphoh, Malaisohmat, Bhowal, Sohiong, Lyngiong, Mawphlang, Jirang, Mawlong, Shella, Mawdon, Nonglwai, Pamsangut and Dwara Nongtyrnem which will be called the Federation of Khasi States.”²⁶

The aims and objectives of the Federation are:²⁷

(1) The Federation represented the United Khasi States. It would discuss and take action on matters of common concern to them.

(2) The Federation representing the Khasi States would take the legitimate control of affairs common to other districts.

(3) The Federation would advise the Government that in its relation to the Indian Native States, the Khasi States having Subsidiary Allegiance to the British Crown should be given a special consideration.

(4) To put forward a claim for securing greater judicial power and a higher status in view of the progress, advancement of the Khasi States in their own jurisdiction as autonomous bodies.

(5) The Federating Units should make a closer union in their attempts to improve the welfare and administration of each unit.

(6) The Federation would settle inter-state dispute through the Chiefs chosen from the parties concerned.

(7) To show on all occasions their loyalty and allegiance to the British Crown."

At the initial stage, the Federation had to undergo many obstacles, it was immature as Cantlie puts it. There was no sufficient fund. Yet the Federation was born out of the need of the hour. Clear enough it felt it should not be discretionary nor whimsical nor dictating but its duty was to bind all the Khasi States closer under the banner of unity and understanding that they may be able to stand side by side with the other Indian States.

Sir Keith Cantlie, the Deputy Commissioner during this period, gave suggestions as to the practical strategy which should be adopted for the proper working of the Federation. First, there should be a union of Myllem and Khyrim.²⁸ The three States under Lyngdohs having 65,000 population could be merged with Myllem and Khyrim. Pamsangut with 289 population and Nonglwai with 298 people could also join Myllem and Khyrim. Secondly, Mawdon and Dwara Nongtyrnem having 500 population respectively could be merged with Shella

Wahadadarship. But Cantlie again observed that Dwara Nongtyrnem and Mawdon lay between Shella and Mawlong and that the two latter States (Shella and Mawlong) had been rivals. Mawlong might object to the formation of this War Confederacy. Thirdly, Cantlie suggested that the other remaining States might be grouped as follows:

1. Maharam, Mawsynram, Malai Sohmat and Bhowal.
2. Nongkhlaw, Nongspung, Myriaw, Rambrai, Mawiang and Jirang.
3. Nongstoin, Langrin and Nobosohphoh.

He further suggested that the members of these groups might join together to form a State. The last Syiem who survived from any group would rule the whole State. These three States which emerged out of such a Union might merge with Myllem-Khyrim or Shella. Cherra Syiemship could fall into any of these groups. In this way Cantlie said the Federation of Khasi States would consist only of six Himas or States.

In spite of the suggestion and proposal put forward by Sir Keith Cantlie, it is paradoxical why the Khasi States were not keen upon securing representation in the Federal Legislatures as seen from their memorandum to the Viceroy, Lord Linlithgow. The Conference states:

“This Conference respectfully beg to urge that in view of these twenty five states being sister states in the same country, inhabited by the same people having the same usages and customs, being contiguous one to another in territory and the inevitability of their having one common Political Officer together, it is essential from all points of view that they be treated as an inseparable group. It will also open the way for certain villages which originally belonged to a state or commune of these Native States but had for certain domestic reasons separated themselves therefrom after the British had conquered the country, to be reconciled gradually to their former relationship with advantage to themselves”²⁹

It may be observed that the Khasi States have always been independent of each other however small their territorial jurisdiction may be. Perhaps, when Cantlie suggested

for the grouping of Khasi States there might have been some fear that they might lose their status, their identity and their Sovereignty as Khasi States. The Memorandum therefore shows that they were not so keen upon securing representation in the Federal Legislature.

Bidor Singh, Syiem of Nongkhlaw was the President of the Conference, Macdonald Kongor was the Secretary and the other members of the Conference were Rai Bahadur Ropmay, Olim Singh, Syiem of Khyrim and Joab Solomon. These members of the Conference were to present views on behalf of the Conference, before the State Inquiry Committee. We can understand the opinion of the Conference from the statement of the Khasi States that :

“ . . . any new form of arrangement while causing no gain to others will cost the people of these states all their present rights, instead of their remarkable progress, it will force them back to retrogression, and it will ultimately bring about even an extinction of their long preserved race which, with its scientifically correct laws and perfect democratic constitution would be an even shining piece of relic in the museum of nationalities under the protection of and in alliance with the British Crown.”

It may be mentioned here, however, that the formation of the Federation of Khasi States might not be successful because no Khasi Syiem would be generous enough to embrace others beyond the bounds of his Hima or State. Myllem and Khyrim which claimed, to belong to the same ancestress and which were once united, could not come to an agreement to unite together, not to speak of the other Khasi States which could never dream of such a union or Confederacy. The will of the people would no doubt be taken into consideration but there were certain practical impediments as to the formation of a Federation. The absence of public service in the Khasi States, the financial demarcation of the Syiem's finance from the Hima's finances, renewal of the election of members of the Dorbar Syiem (Durbar of the Syiem) and the Dorbar Hima (Durbar of the Hima) and the renewal of the custom of appointing or electing a Syiem would also be some of the hurdles that the Federation could face.³⁰

It may be recalled that from time immemorial, the Khasis have been by nature federalists. Perhaps the British failed to understand the federal character of the people. In Khasi polity, the Syiem represents the people of the Hima. The Syiem or the Lyngdoh or the Sirdar of different Khasi States would join hands together to come to a common forum to forge ahead towards a common objective, but at the same time, keeping the political and social tradition of the respective Himas intact. In fact, democratic process, co-operation, political consciousness and unity are the essence of Khasi political thought.

Under the operation of the Government of India Act, 1935, the areas of North Eastern India were classified into four areas. Excluded Areas, Partially Excluded Areas, the Frontier Areas and the Khasi States which were twenty five in number and in Subsidiary Alliance with the British. The Khasi States were, however, not yet clear as to their status, because, inspite of the advice of the British to the Khasi States to form a Federation, yet, the Act did not give any chance to the Federation of Khasi States to be represented in the Chamber of Princes. Secondly, the request of the Khasi States to place them in direct relation with the Viceroy through the Political Agent, was not granted. On the other hand, the Deputy Commissioner, Khasi and Jaintia Hills could act as Political Agent in relation to the Khasi States.

After the Government of India Act was passed, the people of Jowai presented a Memorandum to the Governor of Assam, Sir Robert Neil Reid.³¹ First, the people of Jaintia Hills felt that the:

“... long standing grievances... the Jaintia people are fully... and painfully conscious of the woeful neglect of the powers that be of their well being in every respect. They are conscious that though they are heavily taxed, the facilities for the development and care of mind and body which belong by right to and enjoyed by their fellow tax payers in other parts of the Province are unfairly denied to them.”

Secondly, they invited the attention of the Government to the internal administration which “is a fruitful source of

grievances bearing the mark of diarchy in its worst form." The people of Jaintia Hills had so long avoided coming within the jurisdiction of the High Court, expecting that their old system of Government of a truly representative character would soon be remodelled and adjusted to meet the changing conditions of the time. The people believed that there would be a sincere remedy for administrative and executive evils prevailing in the Jaintia Hills. Thirdly, the Memorandum also hoped, that, with the Government of India Act, 1935 making provision for the Governor of the Province to safeguard their interests and other hill people in the Province, the safeguard would continue till "the people are fully advanced and able to protect themselves in the open field of competition."

As per Section 3 of the Government of India Act, 1935, the Crown Representative was given the power with effect from 1st April 1937 to exercise his authority over the States.³² On the basis of Sir Keith Catlie's proposal, the Crown Representative gave his decision on the question of the suspension of the Syiem of Myllem, Sati Raja in 1942.³³ The Khasi National Durbar thought that, in the first place, Sati Raja and his Myntris were found inefficient thus they were suspended and that the administration of the State was to be entrusted to a Dewan. Secondly, the proposal of Keith Cantlie to unite Myllem and Khyrim might be enforced so that it could serve as a model and that qualified persons would be in a position to take part in the administration.

But, the Khasi National Durbar expressed its views on the verdict given by the Crown Representative. The Dorbar was undoubtedly grateful for the decision to unite Myllem and Khyrim and that other States also might follow suit, which would ultimately benefit the Khasi States when India would attain Independence. But the Durbar objected the appointment of a Dewan to run the administration. If the Syiem was suspended, the Dorbar felt, another Syiem may be appointed but not a Dewan, as this was and is against the 'riti' or tradition of the land. The Dorbar felt that the Crown Representative could review the relationship between the British Government and the Khasi States based on Treaties and that this relationship should be respected. The Khasi States again, felt that their customs and traditions should be preserved. The Durbar also

suggested that, when India would attain its Independence, the Khasi States which had so long been semi-independent states would attain full Independence. They appealed to the Crown Representative to do away with the Orders pertaining to Sohra or Myllem, which were against the tradition of the people.

Though there was no immediate solution yet we may say that the Khasi National Durbar was born out of the social and political consciousness of the rulers for the preservation of the customs and traditions of the people which they have inherited from their fore-fathers from time immemorial. It may also be recalled there had been a general feeling that there should be unity among all the Khasi people. As a "Hillman" writes:

"We need unity and we call for it now, for we know that in it there is strength, we need unity because the unpleasant fact that human development is at such a state only that there is no justice, no moral law, no science and no reason in politics without the backing up of force, and in this, numerical strength counts We need unity because we want to preserve our hills for our own future generation . . . we need unity to preserve our culture We need unity to defend and preserve the honour of our womanhood . . . we have seen how empires come and go, and the British Empire might not be an exception to that. If the British protection would go when we are not yet united, our dream for unity then would be in vain, we will no longer be allowed to strive for unity And we call upon the British people and all our well-wishers to help us in our struggle for unity" ³⁴

Perhaps it may also be necessary to discuss the nature of the representation of the Khasis in the Legislature and the ministries since 1929. The Government of India Act 1919, authorised the Governor General in Council under Section 52(A) to declare any territory in British India as a "backward tract" and may, by notification, with such sanction as aforesaid, direct that this Act shall apply to that territory subject to such exceptions and modifications as may be prescribed in the Notification. In accordance with the above provision, the British portion of Khasi and Jaintia Hills (excluding

the Shillong Municipality and the Cantonment) and other hill regions of North East India were declared backward tracts. Besides, the Act also provides one House for the Assam Province, which was the Legislative Council.

The first experiment to get the tribals involved in the Assam Legislature was the nomination of a Garo, Janggin Sangma Laskar in 1921. But as stated earlier, neither was he vocal nor could he understand the proceedings of the Legislative Council. So, he was dropped in favour of Rev. J.C. Evans, a Welsh Missionary working among the Khasis. But his experience was limited to Khasi Hills only, therefore, he could not give a fair representation of all the Hill Areas.

Peculiar by nature for containing non-British territory though part of Myllem Syiemship, Shillong became the only Urban Constituency with a large body of women voters. This practically coincides with the matrilineal nature of Khasi Society. In the general election of 1921, Rev. J.J.M. Nichols Roy was declared elected by securing 358 votes while his rival Srijut Sivanth Dutta polled 112 votes.³⁵ Besides, the "Elected Members" in the Council there were also "Nominated Members" of which one such nominated member was Dr. H.G. Roberts.³⁶ We can get an idea of the election statistics as under:³⁷

The first meeting of the Legislative Council was in the Council Chamber of the Government House, Shillong on the 12th February 1921, Members present were:³⁸

1. Hon'ble Mr. J.C. Arbuthnott, CIE President
2. " Mr. W.J. Reid, C.S.I
3. " Mr. A. Majid, C.I.E.
4. " Mr. Rai Bahadur Chanashyam Barua
5. " Mr. Khan Bahadur Syed Abdul Majid
6. Mr. A.R. Botham, C.S.I., M.L.C.
7. Mr. A.R. Edwards, I.C.S., M.L.C.
8. Mr. J.N. Taylor, C.I.E., M.L.C.
9. Srijit Nilmoni Phukan, M.L.C.
10. Rev. J.J.M. Nichols Roy, M.L.C. and others.

In 1926, in the next general election, Rev. Nichols Roy was again elected by an overwhelming majority over Sibnath Dutta and Kongor A. Macdonald Basaiawmoit. An interesting

District	Constituency	Area in square miles	Population in thousands	Number of voters in electoral roll	Percentage of voters to total population	Percentage polled at last contested election
Khasi and Jaintia Hills	Shillong	X	17	1,509	8.77	53.87 (37)

feature is that though no statistics existed as to the number of women voters in other constituencies, yet in the Shillong Urban Constituency, where a separate polling station was arranged, 336 voted forming 40% of the total poll and 67 percent of the female electorate.³⁹ The Deputy Commissioner made a special comment on the Council election in November 1926. In his tour diary he writes:

“The last election was the first time in Shillong when females were allowed to vote for the Assam Council and the right was exercised by Khasi females with much enthusiasm. An important event of the year was the appointment of Rev. Nichols Roy as a minister of the Assam Government. All Khasis are naturally proud of this appointment and fully appreciate the honour which His Excellency the Governor has done to this district by selecting a leading member of their community as one of his ministers.”⁴⁰

In the formation of the Ministry, a delicate point came up between the Muslims and the Hindus. Saudulla was a Muslim from the Assam Valley. The Hindu members from the Surma Valley belonged to the Swaraj Party who were unwilling to join the Ministry under the prevailing circumstance. To absorb the Muslim members from the Surma Valley would be to increase the number of Muslim representatives in the Council which would, inevitably incur the displeasure and dissatisfaction of the Hindu members. To save the delicate issue and maintain the balance, Sir John Kerr, the Governor appointed J.J.M. Nichols Roy, as Minister on 15th February 1927.⁴¹ Besides, the

Ministers who were appointed to look after "Transferred Subjects" the Governor also appointed Executive Councillors over "Reserved Subjects."

It may be observed that in the first Council, there were no parties, and ministers were chosen by the Governor to represent communities and localities. The first party in the Council created in 1924 by the Swarajists, who refused to accept office in the Ministry and it has not been possible to offer office to a dominant party in the Council on the constitutional model. The Legislative Council was also so crossed by communal and territorial lines of cleavage. It was necessary, therefore, while selecting as Ministers, they should be members likely to command respect in Council and to lead it, should they be elected to consider these lines of cleavage.⁴²

We may refer to the election case of Jogendra Chandra Choudhury against the Secretary of State for India in Council and Rev. J.J.M. Nichols Roy.⁴³ The plaintiff stated that J.J.M. Nichols Roy did not possess the necessary qualifications required by Rule 2 of Schedule 11 of the Assam Electoral Rules for being an elector for the Shillong General Urban Constituency and was, therefore, ineligible for election as member of the Council. Aware of this, the Government of Assam found the position of Nichols Roy untenable and so moved the Government of India for such modification of the above Rule 2 Schedule 11 of the Assam Electoral Rules so as to include Nichols Roy as one of the Ministers and also other residents of the said additional area in the category of persons qualified to have their names registered as electors for the Shillong General Urban Constituency. The Plaintiff also stated that neither the Government nor the Secretary of State for India in Council, had or has any power of authority, acting within either the letter or the spirit of the Government of India Act to modify Rule 2 of Schedule 11 of the Assam Electoral Rules in the manner desired by the Government of Assam. But, the Government of Assam finding that its own position and the position of one of its ministers was untenable, moved the Government of India with a view to have the rule modified to suit the purpose. The Plaintiff again pointed out that the Government of India accordingly issued a Notification in favour of its own interest in order to have

the prestige of the Government of Assam most illegally and unjustifiably.

Orders were issued by Government for holding a general election in May 1929 of a member for the Assam Legislative Council from the Shillong Urban Constituency.⁴⁴ It was said that the nomination papers were filed by Nichols Roy, Macdonald Kongor and Rai Bahadur Nagendra Nath Choudhury. The nomination papers of the first two were rejected and the latter was duly elected without a contest. Nichols Roy filed an election petition and the Government ordered a fresh election to be held. This was held on the 3rd October 1929 and was keenly contested by the three gentlemen. Nichols Roy secured the majority of votes and was declared elected on the 4th October 1929.

But Macdonald filed an election petition against Nichols Roy.⁴⁵ The petitioner in the first place, stated that in the bye-election of a member to the Assam Legislative Council from the Shillong — (General Urban) Constituency held, three candidates contested — Rai Bahadur Nagendranath Choudhury, a Zamindar from Sylhet, J.J.M. Nichols Roy (respondent) and Kongor Macdonald (Petitioner). Secondly, the bye-election was held as a result of the order dated the 6th September 1929 of His Excellency published in the Assam Gazette No. 37 of 1929 dated the 11th September 1929, setting aside the election of Rai Bahadur Nagendranath Choudhury on a report by the Commission who enquired into an election petition presented by the Respondent against the election of the said Rai Bahadur Nagendranath Choudhury. Thirdly, as soon as it was rumoured that the election of Rai Bahadur N.N. Choudhury had been set aside, the Petitioner said that the Respondent and his agents published various false statement of facts in relation to the candidature of the petitioner such as were reasonably calculated to prejudice the prospects of the petitioner's election (during the period from the 7th of September 1929 to the 3rd October 1929). Fourthly, during the same period given above such undue influences as would interfere with the free exercise of their electoral rights were also brought to bear upon the electors by certain of the Respondent's agents. Fifthly, on the election day, the elector who had once voted was abetted by an agent of the Respon-

dent to apply for a second ballot paper to vote the second time at the same election with the free knowledge that the very same elector had voted once. Sixthly, the prohibited expenses which were not shown in return of expenses filed by the Respondent were incurred by the agents of the Respondent on the day of the election. Seventhly, it was stated by Kongor Macdonald that from the 30th September 1929 till the election day, Mrs. Nichols Roy and other women went to Laban and other places, and, there told the people that Mr. Macdonald had given up contesting and had authorised that all his supporters should vote for Nichols Roy himself. Eighthly, the agents of Nichols Roy in particular, SHEMEUL SYIEM from Malki, an agent of Nichols Roy intimidated the people of Malki saying that they would be subjected to enhancement of Municipal taxes if they would not vote for Nichols Roy. Again, another agent of Nichols Roy, Macdonald stated, U Mon Lyngdoh of Laitumkhrach intimidated the people of Laitumkhrach living in his land, threatened to turn them all out of the land if they would not vote for Nichols Roy. Joab Solomon, another agent of the Respondent who was also an influential member of the Presbyterian Church promised Mon Lyngdoh of Laitumkhrach, to release of Mon Lyngdoh's land called "Lum Mawri" or "Nongmawri" from restrictions in respect of that land imposed by the Welsh Mission on the strength of a certain registered agreement if Mon Lyngdoh would vote for the Respondent at the election and induced Mon Lyngdoh's tenants to do likewise. Lastly, on the election day, the petitioner stated, Mrs. Holibon and Miss Keti of Mawkhar, besides other agents of the respondent, picketed the Khasi female electors who went to vote at the Government High School Polling Station and interfered with the exercise of free electoral right of the electors.

We may add that the Fourth General Election held in November 1929 remained in power for a long term of six years. Nichols Roy was dropped because he was not able to see eye to eye with the majority of the elected members and in his place, Abdul Hamid, a Muslim from the Surma Valley was taken in.

When the Government of India Act, 1935, came into operation, Khasi and Jaintia Hills District was declared as Partially Excluded Area and was given representation in the

Assam Legislative Assembly under the operation of the above Act. As far as Shillong is concerned, a Special provision has been added (Paragraph 9 A of the Sixth Schedule of the Government of India Act 1935) according to the power given under Section 291 of Para 9A of the above Act:

“In the case of any territorial Constituency comprising part of Shillong, any reference in this part of this schedule to the “Constituency” shall be construed as including a reference to so much of the areas under the jurisdiction of the Shillong Municipality Board and the Shillong Cantonment Authority as is not part of British India and any reference to Municipal or Cantonment rates or taxes shall be considered as including a reference to any such rates or taxes assessed by or paid to the Board or that authority in the exercise of any jurisdiction exercised by them in relation to areas outside British India.”

In the Ninth Schedule of the Government of India (Provincial Legislative Assemblies) Order, 1936, the names of the “Constituencies” of the Assam Province are given as follows:

“1. Shillong Constituency which includes ‘British Areas’ of the Shillong Sub-Division. This Constituency also includes “Mylliem State Portion.”

“2. Jowai Constituency which includes Jowai Sub-Division, Block I and Block II which are now under ‘Mikir Hills’ were part of Jowai Sub-division.”

“3. Women’s (Shillong) Constituency which includes women voters and women candidates. The Women’s (Shillong) Constituency mentioned in Part III of the said Schedule is a Constituency specially formed under paragraph (b) of paragraph eight of the Fifth Schedule to the Act.”

In the election of 1937, there were three candidates for the Shillong Seat — Rev. Nichols Roy, Ajra Singh Khongphai and Kongor Macdonald. Rev. Nichols Roy was elected by a majority vote. For the Jowai Seat there were three candidates Rev. L. Gatphoh, Larsing Khyriem and Sorendro Bareh. Rev. L. Gatphoh was elected with an overwhelming majority. For the Shillong Women Seat, there were two contestants —Mavis Dunn

and Berlina Diengdoh. Mavis Dunn was elected.

The first meeting of the Legislative Assembly, as per the Government Act 1935 was on the 7th April 1937 at the Legislative Assembly Chamber, Shillong at 11 A.M. According to Sub-Section 3 of 65 of the Government of India Act 1935, Mr. F.W. Hochenulle M.L.A. was appointed by the Governor to conduct for the time being, the proceedings of the House till the appointment of the Speaker. There were two contestants for Speakership-Srijut Dasanta Kumar Das and Khan Maulavi Karamat Ali. The former got 56 votes while the latter got 51 votes. Srijut Basanta Kumar Das became the Speaker.

The first Ministry under the Government of India Act 1935 came into existence on 1st April 1937. The office of the Premiere was recognised in Assam. The first Sadulla Ministry consisted of two members from each valley. Another member was from the hill areas and he was Nichols Roy. According to the report:

“The first of April 1937 was the inauguration of Provincial autonomy. The first Ministry with Sir Shiyid Muhammad Sadulla as Premier was confronted with a difficult task as they had only a bare working majority generally 5 or 6 votes against the Congressites and Independent.”⁴⁶

The report also tells that there were two budget Sessions during the year 1937-38, the first in August 1937 and the second in March 1938. Shortly, before the Second Budget Session, the Premier resigned. The Cabinet was reconstituted on the 5th February 1938 as under:⁴⁷

- “1. The Hon’ble Maulavi Saiyid Sir Muhammad Sadulla
2. The Hon’ble Rev. J.J.M. Nichols Roy
3. The Hon’ble Srijit Rohini Kumar Choudhury
4. The Hon’ble Maulavi Munawwar Ali
5. The Hon’ble Maulavi Abdul Matin Choudhury
6. The Hon’ble Babu Akshay Kumar Das.”

It may be noted here however, that in the above Second Sadulla Ministry which was formed on the 5th February 1938, Rev. Nichols Roy was included as Minister for Local Self-Government. When the Second Sadulla Ministry was voted

out of office, His Excellency, the Governor reconstituted his Council of Ministers on the 19th September 1938 (First Bordoloi Ministry) with the following:⁴⁸

1. The Hon'ble Srijut Gopinath Bordoloi
2. The Hon'ble Babu Akshay Kumar Das
3. The Hon'ble Srijut Ramnath Das
4. The Hon'ble Babu Kamini Kumar Sen
5. The Hon'ble Srijut Rupnath Brahma."

The Hon'ble Mr. Fakhruddin Ali Ahmed and the Hon'ble Khas Bahadur Maulavi Mahmud Ali were appointed to be members of the Council of Ministers on the 13th October 1938 and the Hon'ble Maulavi Muhammad Ali Haider Khan on the 20th October 1938. The first Bordoloi Ministry refused to accept Nichols Roy in the Ministry.

The year 1939 was a quiet opening for the administration of Assam Province but the Congress Coalition Ministry became deeply engrossed in many disturbances. All these events caused a lot of considerable embarrassment to the Ministry and finally, the Bordoloi Ministry resigned. His Excellency, the Governor, reconstituted his Council of Ministers on the 17th November 1939 with the following:⁴⁹

1. The Hon'ble Maulavi Saiyid Sir Muhammad Sadulla
2. The Hon'ble Srijut Kumar Choudhury
3. The Hon'ble Maulavi Manuwwar Ali
4. The Hon'ble Srijut Hirendra Chandra Chakravarty
5. The Hon'ble Khan Sahib Maulavi Mudabbir Hussain Choudhury
6. The Hon'ble Dr. Mahendra Nath Saikia."

The Hon'ble Maulavi Abdul Matin Choudhury, the Hon'ble Miss Davis Dunn were appointed members of the council of Ministers on the 5th December 1939 and the Hon'ble Srijut Rupnath Brahma on the 9th January 1940. In the above third Sadulla Ministry, Nichols Roy, who was expecting all along to head the Ministry was not taken in, and in his place, Mavis Dunn was taken in. The above Ministry was quite big but a "Scratch Team" as the Governor calls it. Even Miss Mavis Dunn was considered by some writers as a political "non-entity" in the Ministry.

By the end of the year, that is, 25th December 1941, the Sadulla Ministry was voted out, thereby bringing the province under Governor's rule under Section 93 of the Government of India Act 1935 which lasted till 25th August 1942. The suspension of constitution was a sad turn of events. The Governor General wrote to the Governor on the 25th December 1941:

"I need not say how very sorry I am that things should have taken the turn that they have, but I hope it will be clear to all reasonable people that we had come to Section 93, it has been with greatest reluctance and only been exhausted. I hope it will be possible for you to discreetly keep as much pressure upon Sadulla to get a Ministry, for neither you nor I want to remain in Section 93 any longer than we have for."⁵⁰

The Fourth Sadulla Ministry was again formed on the 25th September 1942 which included Rupnath Brahma, Mavis Dunn and others.⁵¹ J.J.M. Nichols Roy in the meantime, went to United States in 1943 and returned in 1945. The Fourth Sadulla Ministry resigned on the 23rd March 1945 but again came into power on the 24th March 1945. However, in this Ministry, no tribal was taken in. It lasted till the next General election in 1946.

The general election which should have been held in 1942 could not be conducted because of the Second World War. It was held only in 1946. An interesting feature of this election was that for the first time in Khasi Hills, the Indian National Congress emerged with Kongor Macdonald as the leading personality of the National Party. But to the surprise of Kongor Macdonald in the election of 1946, Macdonald was not given a Congress ticket, but Nichols Roy was given a Congress ticket. This might be due to the fact that Nichols Roy was more educated, more popular and more influential. This enraged Macdonald so much so that he left the Congress Party and championed the cause of another political party, the Hills Union.

For the Jowai Seat, there were three candidates, Rev. L. Gatphoh, Larsing Khyriem as Independent candidates and Wiking Singh Shullai as a Congress candidate. Larsing Khyriem defeated Rev. L. Gatphoh by a minority vote.⁵² It

may be recalled, that Rev. L. Gatphoh was the first leader of Jaintia Hills to represent the people in the Assam Legislative Assembly in 1937 under the Government of India Act, 1935.

For the Shillong Seat, there were three candidates Kongor Macdonald as an Independent candidate, Nichols Roy as a Congress candidate and Ajra Singh Khongphai as a candidate from the Khasi Jaintia Political Association. Nichols Roy was elected with an overwhelming majority.⁵³ For the Shillong Women Constituency, there were lady contestants — Bonily Khongmen from the Congress, Mavis Dunn from the Khasi Jaintia Political Association, Berlina Diengdoh and T.W. Shadap as Independent candidates. Bonily Khongmen was elected with an overwhelming majority.⁵⁴ She was also elected as the Deputy Speaker of the Assam Legislative Assembly. On the 11th September 1946, the Bordoloi Ministry was sworn in and Nichols Roy was included in the Cabinet. The Constituent Assembly which first met on the 9th December 1946 was responsible in framing the Constitution of India.

The political development in India affected the political situation in Khasi and Jaintia Hills. The Khasi Native States were brought closer to the Indian scene. It was here that they learnt the value of co-operation, unity and mutual understanding. This was the period which saw the birth of political aspiration based on traditional values, in short the Jaintia Union and the Khasi National Dorbar emerged. It may be fraught with obstacles and failure yet they have been able to prepare the base for future development under the broader perspective.

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CHAPTER VIII

INTEGRATION OF THE KHASI STATES

On the eve of India's Independence, the district of Khasi and Jaintia Hills covered an area of 6145 square miles, the total population of which is 3,32,251 with 30,000 non-Khasis living mostly in Shillong.¹ The district has two kinds of administration. It has 25 Khasi States ruled by Syiems and Wahadadars, Lyngdohs and Sirdars, which are in treaty relationship with the British Crown. They are semi-independent with a population of 201,647.² The district also consists of British areas which are composed of the Jowai sub-division with a population of 85,000.³ They also consist of British villages, interspersed among the Khasi Natives states and these have a population of about 39,048.⁴ In all the villages, whether in the Khasi States or in the British areas, there are elected headmen with some judicial powers. The Governor of Assam is the Agent of the Crown Representative in relation to the Khasi States. In the British areas, there are elected headmen with some judicial powers. The Governor of Assam is the Agent of the Crown Representative in relation to the Khasi States. In the British areas there is the Deputy Commissioner. There are British areas which are Partially Excluded Areas in accordance with the Government of India Act, 1935. No Act of the Assam Legislature can be applied directly to these areas except when the Governor does it through a special Notification issued to this effect. Besides, these areas send representatives to the Assam Legislative Assembly.

Speaking of the status and the administration for the Khasi and Jaintia Hills district in the New Constitution of

India, the people of this district are strongly against the idea that it should be excluded from the Constitution of India. The people think that the political institution of the people might be destroyed subsequently by the plains district. There are certain customs, according to Nichols Roy and other Khasi thinkers which are to be preserved, one of those is the village democratic institution, freedom of women in trade and business which may be an important model for the whole of India. The people's sense of democratic equality and co-education in primary schools, may also be another important factor. Besides, there is Nongwah, which, for reasons beyond control, though a Khasi State, has been included within Kamrup district. J.J.M. Nichols Roy makes an observation of Nongwah:

“There are a few villages with about 400 houses which were before 1897 included in Khasi hills. These in former years formed a small Khasi State, but for some reason they were included in Kamrup district. They are all on the border of Khasi and Jaintia Hills The people live like Khasis and they are anxious to be included in the Khasi Hills as they used to be before.”⁵

The Cripps Mission set forth to embody the proposals of the British Government in the Draft Declaration in March 1942. One of the proposals was that the Indian States would be entitled to nominate their representatives which would correspond to the total population in the British areas and the Indian Native States. It was proposed that they would possess the same right as the provinces. Cripps indicated that it would be necessary for the princes to negotiate the revision of Treaties and Agreements between the British Government and the Native States. However, the Secretary of State observed that the treaties still remained intact. The Khasi States would be glad as always in the interest of the whole of India:

“ . . . to make their contribution in every reasonable manner compatible with the sovereignty and integrity of the states towards the framing of the Constitution of India ”

On a closer observation, the Draft Declaration improved upon the august offer of 1940 but it was defective in so far as it was not acceptable to all. The Native States questioned their relationship with the Indian Union and the British Government. They wanted to be sure that their states would be fully protected. Besides, it was visualised that there were differences among the native rulers. The Indian leaders also felt that Cripps completely ignored the interests of the Indian Native States and the people therein.

It did not take long for the Indian Native States to realise that their future was in jeopardy because the British Government would not care for them as it would for British India, if the interest of the Indian Native States would come into clash with that of British India. Lord Wavell, however, assured the Indian princes that no changes would be brought in without the consensus opinion of the States concerned.

The political change in England greatly affected the political situation in India. On the 19th February 1946, the British Labour Minister, Mr. Attlee announced that three Cabinet Ministers would visit India:

“... to promote in conjunction with the leaders of the Indian opinion, early realisation of full Government in India.”⁶

Mr. Attlee also hoped that:

“the statesmen of British India and of princely India will be able to work out a solution of the problem of bringing together in one great policy these desperate constituent parts. There again we must see that the Indian States find their due place”⁷

The three members of the Cabinet Mission, Lord Pethick Lawrence, Secretary of State for India, Sir Stafford Cripps, President of the Board of Trade and A.V. Alexander, First Admiralty arrived in India in March 1946. The Cabinet Mission made a proposal that

“... with the attainment of Independence by British India, whether inside or outside the Commonwealth, the relationship which has hitherto existed between the Rulers of the States and the British Crown, will no longer be

possible. Paramountcy can never be retained by the British Crown not transferred to the New Government . . . at the same time States are ready and willing to co-operate in the new development of India. The precise form which their co-operation will take must be a matter of negotiations during the building up to the constitutional structure, and it, by no means, follows that it will be identical for all States.”⁸

The Cabinet Mission also suggested that, first, there should be a union of India embracing both British India and the States, which should deal with the following subjects — Foreign affairs, Defence and Communications and should have the powers necessary to raise the finance required for the above subjects. Secondly, the States should retain all subjects and powers other than those ceded to the Union.⁹

The Cabinet Mission presented to the Chamber of Princes, on the 12th May 1946, “The Memorandum on States, Treaties and Paramountcy” which states that:

“ . . . when a new fully self-governing or independent Government or Governments come into being . . . His Majesty’s Government will cease to exercise the powers of paramountcy. This means that the right of the States which flow from their relationship to the crown will no longer exist and that all the rights surrendered by the States to the paramount power will return to the States. Political arrangement between the States on the one hand and the British Crown and British India on the other hand, will thus be brought to an end. The void will have to be filled either by the States entering into particular political arrangements with it or them.”¹⁰

The Cabinet Mission therefore suggests to the Princely States to improve the administration and that the void created by the lapse of Paramountcy be filled up. The Cabinet Mission statement of 16th May 1946, which referred to the lapse of Paramountcy and the formation of a Federation, suggests that the Federation should be for three subjects only Defence, Foreign affairs and Communication. Besides, it also suggests, that representation in the Constituent Assembly should not be more than ninety three. The Chamber of Princes,

thereupon appointed a "Negotiating Committee" on the 19th June 1946, whose duty was to discuss with the Government on constitutional matters. The Princes also hoped to understand their stand and to retain their status over the Indian Native States.

As there had been serious political developments in British India and the Indian Native States there had also been important political developments both in the Khasi Native States and the British areas in Khasi and Jaintia Hills. It was during this time that the Khasis produced towering and conscious personalities in the political arena who did not sit idle but worked for the political survival of the whole Khasi race. They felt that the Khasis had a distinct culture of their own and so the administration of this district should be adjusted in a special way in the new Constitution of India.

Nichols Roy argued that there should be no difference between the Khasi States and the British Area. Secondly, the Treaties entered into between the Khasi States and the British Government should no longer be in force. Thirdly, the administrative set up in the Khasi States should remain as they are, though with the exception that they may be reformed to bring them to the properly constituted administration which should be more advanced. Nichols Roy prepared a draft for the future administration of Khasi and Jaintia Hills.¹¹ According to the above draft, the Khasi States and the British areas from all parts of the district would form 'The Khasi Jaintia Federated State.' This 'State' would consist of twenty five Khasi States, thirty one British Areas, Jaintia Hills with twenty Ilaka Dolois and two Ilaka Sordars, and Nongwah consisting of thirteen villages. There shall be two sub-divisions for the Khasi Jaintia Federated State. The Shillong Sub-division shall also include Nongwah. The administration over the two sub-divisions shall be determined in due course. When the new administration takes place in India, the Khasi Jaintia Federated State shall be connected with the Province of Assam in certain areas like Education, Medical, Communication, Trade and any subject common between the Assam Province and the Government of India. The Khasi Jaintia Federated State might be too small to have

direct relation with the Government of Assam. This Khasi State would be represented in the Assam Legislature but no Legislation of Assam Legislature could apply directly to the Khasi Jaintia Federated State though the norm of representation in the Assam Legislature would be fixed by law. The Khasi Jaintia Federated State shall have a Council consisting of twenty nine members, four of the leaders would be ladies. This Council shall be called the "National Council." The remaining twenty five members of the National Council shall be elected by all male and female adults. For this, the Khasi Jaintia Federated State would be divided into twenty five constituencies, thereby having twenty five elected members. The Khasi Jaintia Federated State would have an 'Executive Council' of not more than three persons to be elected by the Legislative body, one of whom would be the President of the Council. The Executive Council shall have executive powers as would be defined by law. There should be a Khasi Federated Elected Court consisting of three judges which should be the Final Court of Appeal from all local authorities inside the Khasi Jaintia Federated State. As far as Shillong is concerned, Nichols Roy opines that if Assam gets autonomy and if the district of Sylhet, being a Bengali speaking district is again reunited with Bengal, it is not certain whether the capital of the province will remain in Shillong or be moved to another place in the Assam Valley. Shillong would then remain only as a Hill Station for the Assam Government in summer. Therefore, Nichols Roy suggests that Shillong is within Myllem State, the British area therein is very small. The area which is inside Myllem State should come under the jurisdiction of the Khasi Jaintia Federated State. But, if the capital remains in Shillong, "the Shillong town would be under the Assam Municipal Administration but the land should remain as the Myllem State land and the private market of the Myllem State in Shillong should continue to be the private market of the Myllem State." In this connection an adjustment would be made between the Assam Government and the Khasi Jaintia Federated State and the Myllem State. In the new constitution, Nichols Roy suggests that Shillong should send two representatives to the Assam Legislative Assembly — "one seat to be reserved for a Khasi as it is in the Khasi District and it has a larger number of Khasi

permanent dwellers therein, and the other should be a general seat." Besides, he also recommends for a Women Constituency for the town of Shillong. Nichols Roy is particularly in favour of the protection of land in the Khasi Jaintia Federated State, because:

"The progress of the people of this Khasi Federated State according to their own genius and culture will depend upon the fact that their land should remain under the power of their Legislative Body and not to be controlled by the Assam Legislature. Therefore, no Legislation from outside this Legislative Body should have any power over the land within this Federated State. This is the most important part in the relation of the Khasi Federated State with the Assam Government."

Under the relationship of J.J.M. Nichols Roy a public meeting was held on the 2nd August 1946, at Students' Field, Jaiaw to highlight the people of the constitutional changes that had taken place and also those which are likely to take place. This meeting passed the following resolution:

"Whereas the Khasis of the Khasi Hills are of one Khasi stock and we recognise among ourselves that we are one stock, and whereas, though there are different local dialects, all speak and understand Khasi language and whereas in the impending political changes in India, it is the passionate desire of all our people dwelling in the Khasi and Jaintia Hills which are at present divided into two kinds of administration — The Khasi States and the British Areas — to be united into one administration."

"Be it resolved that this unprecedented and great gathering, where thousands of representatives from the Khasi States and the British Areas are present from all parts of the district expressed their ardent desire and demand that they should be united into one administration and be formed into one Khasi Jaintia Federated State on the line planned by the Rev. J.J.M. Nichols Roy and to be connected with the province of Assam in certain subjects only."

“Be it resolved that this great gathering placed on record that this district of Khasi and Jaintia Hills is fortunate to have the Rev. J.J.M. Nichols Roy to be a member of the Constituent Assembly. We have always looked upon him as our leader and we also place on record that we depend on him to guide our future destiny in the framing of the New Constitution.”¹²

Another political organisation — The Khasi Jaintia Political Organisation with Dr. Homiwell Lyngdoh as Secretary could not see eye to eye with the political rally of Nichols Roy. This organisation wanted to have another public meeting on the same day (2nd August) but the deputy Commissioner did not grant permission for two meetings to be held simultaneously. The meeting of the Khasi Jaintia Political Organisation held its meeting the next day, that is, 3rd August 1946. This meeting reacted sharply against the resolution adopted by the Khasi Jaintia Federated State National Conference. It adopted its resolution as follows:

“That the Khasi States which have their own rights and customs founded since ancient times will speak for themselves, and therefore, Rev. J.J.M. Nichols Roy has locus stand to claim that he has the right to speak for them as their representative.”¹³

In the meantime, the Cabinet Mission Plan was circulated to the Syiems, the Lyngdohs, the Sordars, the Wahadadars and others, along with a circular that all the rulers should meet. The Khasi rulers including Nichols Roy himself met at the residence of Kedro Manick, Syiem of Nongkhlaw at Jaiaw, Shillong on the 1st, 2nd July and 22nd August, 1946.¹⁴ The meeting of all the Khasi rulers resolved to revive the spirit of the Federation of the Khasi States of 1933. Olim Syiem of Khyrim was elected Chairman and Jormanick Syiem as Secretary of the Federation. The following members were also elected as members of the Standing Committee:

1. Kedro Manick, Syiem of Nongkhlaw.
2. Sib Singh, Syiem of Nongstoin.
3. Bamon Singh, Syiem of Maram.
4. Atiar Singh, Syiem of Mawiang.

5. Jebuni, Wahadadar of Shella.
6. Mowoon, Lyngdoh of Sohiong.
7. Sirendro, Sirdar of Jirang.

The Standing Committee, consisting of the above seven members was given the power to negotiate with any representative who was a member of the Chamber of Princes and who would also be in a position to represent the case of the Khasi States. Secondly, it was also decided that when the transfer of power should take place, the Federation of the Khasi States, shall also be in line with the decision of the Chamber of Princes.

The rulers of the Indian States agreed to accept the Cabinet Mission Plan, that is, fixing the distribution of seats in the Assembly not exceeding 93 in number and fixing the method by which the representatives of the States should be returned to the Constituent Assembly. The Chamber of Princes passed a resolution on the 29th January 1947 which runs:

“The entry of the States with the Union shall be on no other basis than that of the negotiation, and the final decision will rest with each State . . . which can only be taken after consideration of the complete picture of the constitution. All the rights surrendered by the States to the Paramount power will return to the States. The proposed Union of India, will, therefore, exercise only such functions in relation to the States in regard to union subjects as are assigned or delegated by them to the Union. Every State shall continue to retain its sovereignty and all rights and powers except those that have been expressly delegated by it. There can be no question of any powers being vested or inherent or implied in the Union in respect of the States, its territorial integrity and the succession of its reigning dynasty in accordance with the law, customs and usage of the State, shall not be interfered with by the Union or any part thereof.”¹⁵

The Federation of Khasi States understood that a great task lay ahead of them. The Standing Committee of the above Federation met to prepare a draft constitution of the Khasi States. This draft constitution of the Khasi States was circulated to all the Khasi Rulers for approval and that whatsoever-

er comments or observations to be made by them, may be sent on or before the 25th March 1947. At the same time, in the circular the Standing Committee expressed its joy that the Chamber of Princes had recognised the Federation of Khasi States. The draft constitution was however approved.¹⁶

We may recall that the constitutional Adviser of the Constituent Assembly, B.N. Rau had drawn up a scheme as to how representatives of the Native States should be represented in the Assembly. These States were divided into three sections — A, B and C. As to the representation drawn up above, the North Eastern States would fall under Section B and the whole of Section B alone was allotted four representatives. When the Khasi States were formally recognised by the Chamber of Princes the Khasi States felt that justice should be done to them if they would have their own representative. Tripura, Manipur and the Khasi States thereupon sent G.S. Guha as their representative to the July Session of the Assembly. He presented his credentials on the 14th July 1947.¹⁷

This session of the constituent Assembly may be said to be momentous because it would discuss many important developments which had occurred in the wake of the statement of his Majesty's Government on June 3rd 1947 as to "the methods by which power will be transferred from the British to Indian hands." The above statement has profoundly affected Indian Politics, one of which, the Partition of India has drawn much attention. Though its details would be properly worked out as far as the States are concerned, yet it is clear that the Statement of June 3rd 1947 is not related to the States as per para 18 of the Statement:

"His Majesty's Government wish to make it clear that the decision announced above relate only to British India and that their policy towards the Indian States contained in the Cabinet Mission Memorandum of 12th May 1946 remains unchanged."¹⁸

It may be recalled here, however, that the Viceroy was the nucleus, who was the 'Crown Representative' as far as Indian States are concerned and head of the Government of India as "Governor General" as far as British India is con-

cerned. On the 13th June 1947, Lord Mountbatten as "Viceroy" invited Nehru, Patel and Kripalani, on behalf of the Congress, Jinnah Ali Khan and Sardar Abdur Rab Nishtar on behalf of the Muslim League and Sardar Baldev Singh on behalf of the Sikhs, to an informal meeting concerning the States. The Political Adviser, Sir Conrad Corfield was also present. This meeting made an observation that:

"It would be advantageous if the Government of India were to set up a new department possibly called the States Department to deal with matters of common concern with the States, that if this were done, the new department should be divided into two sections, ready for partition of the Country; and that the existing Political Department and Political Adviser should give all possible assistance and advice in the formation of the New Department."¹⁹

On the 15th June 1947, two days after the meeting with the Viceroy, the All India Congress Committee laid down its policy towards the Indian States. The Princes, who had hitherto not joined the Constituent Assembly were invited to:

"... co-operate in the building of the constitutional structure of free India in which the States will be equal and autonomous share with other units of the Federation... so as to keep in line with the fast changing situation in India and at the same time to produce contentment and self-reliance in their people."

The All India Congress Committee strongly points out that no State in India could declare its Independence nor could it live in isolation from the rest of India. Jawaharlal Nehru observes:

"We shall not recognise the independence of any State in India, further that any recognition of any such independence by any foreign powers will be considered an unfriendly act."

The Cabinet of the Interim Government which met on the 25th June 1947 decided:

"... that in order that the successor Government will each have an organisation to conduct its relations with the In-

dian States when the Political Department is wound up, His Excellency, the Viceroy, in consultation with the Cabinet, has decided to create a New Department called the States — Department to deal with the matters arising between the Central Government and the Indian States. This Department will be under the charge of Sardar Patel, who will work in consultation with Sardar Abdur Rab Nishtar. The New Department will be organised in such a way and its work so distributed that at the appropriate time, it can be divided up between the two successor Governments without dislocation. Mr. V.P. Menon will be the Secretary of the New Department.”²⁰

When the States Department assumed its work on the 5th July 1947, Sardar Patel made it clear to the Princes that it was not the desire of the Congress to interfere in the internal affairs of the States. He also called upon the States to accede to the Dominion of India only on the subjects of Defence, Foreign affairs, and Communication, which ultimately involved national interest. He appealed to the Princes:

“We are at a momentous stage in the history of India. By common endeavour we can raise the country to a new greatness while lack of unity will expose us to fresh calamities. I hope the Indian States will bear in mind that the alternative to co-operation in the general interest is anarchy and chaos which will overwhelm great and small alike in common ruin if we are unable to act together in the minimum of common tasks. Let not the future generation curse us for having had the opportunity but failed to turn it to our mutual advantage. Instead, let it be to our proud privilege to have a legacy of mutual beneficial relationship which would raise this sacred land to its proper place among the nations of the world and turn it into an abode of peace and prosperity.”

Lord Mountbatten was entrusted with the work of negotiating with the Princes as the “Crown Representative.” A special meeting of the Chamber of Princes was convened on the 25th July 1947 where he declared,

“Now the Indian Independence Act releases the states from all the obligations to the Crown. The states have complete freedom technically and legally they are independent.”

But in the process towards complete Independence, Mountbatten strongly emphasised on the States of the great importance of reciprocal understanding where subjects of common interests are concerned and these could only be handled “for their convenience and advantage by a larger organisation.” However, even if this was done, the States were assured that there would be no financial obligation or surrender of the traditional sovereignty of the States. Mountbatten also pointed out that though the States would be at liberty to accede either to India or Pakistan yet, “there are certain geographical compulsions which cannot be evaded” and he finally stressed:

“... the vast majority of States were irretrievably linked up with India... I am not asking any State to make intolerable sacrifice of either its internal autonomy or independence that you can possibly use and make you free of all those subjects which you cannot possibly manage of your own. You cannot run away from the Dominion Government which is your neighbour more than you can run away from the subjects for whose welfare you are responsible.”

Mountbatten made the last appeal to the rulers that with the day of the Transfer of Power at hand, he had no doubt that:

“... this is in the best interest of the States, and every wise ruler and wise Government would link up with the great Dominion of India on the basis which leaves you great internal autonomy and which at the same time get rid of your worries and care over External Affairs, Defence and Communications.”

The Conference of about one hundred Princes which met Lord Mountbatten on the 25th July appointed a Committee of Princes and Ministers to consider the Instrument of Accession as well as the Standstill Agreement for the interim period.

When the question of national importance came to the forefront, the Khasi Rulers and the Khasi political leaders faced a very critical position. They had not as yet come to a stand as to the course of action to be taken by them at this juncture. J.J.M. Nichols Roy was guided by the principles of the Khasi Jaintia Federated State of which he was the founder. The Khasi Jaintia Political Organisation under Dr. H. Lyngdoh had its own viewpoint that the Khasi States would speak for themselves and that Nichols Roy should not be their representative. We also find another view proposed by Wickliffe, the nephew of the Syiem of Nongstoin, who along with S.A. Chyne proposed to abide by the terms and conditions of the Standstill Agreement, Wickliffe was not willing to sign the Instrument of Accession. He was of the opinion that the terms laid down in the Standstill Agreement already served the purpose. When he found that his proposal could not be accepted, he left for East Pakistan present (Bangladesh) and remained there till his death on the 22nd October 1988.

Macdonald Kongor, the President of the 'Hills Union' and the Khasi National Durbar stressed that the Federation of Khasi States should be given equal status with other Provinces within the India Union.²¹ He argued that the Hills and the Plains could not be united together, because in origin, the Khasis are different from that of the plains in customs, traditions, language, beliefs and usage. Besides, Macdonald feels that the Hills and the Plains could not work hand in hand. The plains, according to Macdonald, look down upon the hills as savages, while the Hills regard the plains as cunning. Again there is a difference between the hills and the plains as far as political administration is concerned. The Khasis are democratic and the laws governing the Khasi States, though unwritten, can be read from their customs and traditions. In the last analysis, he expressed high hopes over the recognition of the Federation of Khasi States by the Chamber of Princes and the Negotiating Committee. Speaking of finance, Macdonald observes that the Federation of Khasi States has its own produce which can, undoubtedly, meet the expense of all States concerned. Hence, from all the arguments put forth by the Hills Union and the Khasi National Durbar, the Khasi States should be given the right to self-

determination to secede from Assam and to form a Federation of their own, which would be given equal status with other Provinces. It should also be duly represented in the Advisory Committee constituted specially for the purpose by the Constituent Assembly.

In like manner another view was expressed by the Khasi ladies, K. Kharsati, Bliantimai Syiem, Dr. Estherly Laloo and others under the leadership of Mavis Dunn who strongly stood up for the preservation of the matrilineal society. They said that though political changes have swept the land, have come and gone, yet, the customs and traditions of the people have been kept intact. The status of the women which has been given due recognition since time immemorial, should be preserved. Having their social set up, the Khasis are different from the plains in almost all spheres of life. They however, add, that the Jaintia Hills should once again be given back their traditional political status which they had, before, the coming of the British. The Federation of the Khasi States responded positively to the support given by the Khasi women who formed the backbone of the society. About six hundred of them went to meet the Governor with the Memorandum given to him and they felt that it would be through the above Federation alone that the aims of the Khasi rulers be fulfilled. The Memorandum concludes:

“The world has given birth to these hills, like a line demarcating and dividing two valleys, they will not vanish away or sink into the valleys”²²

In the meantime, the Khasi States People’s Union emerged under Professor G.G. Swell, Macdonald Kongor and Dr. S.R. Boney which supported the cause of the Federation of the Khasi States from the Province of Assam and that they should be placed in direct relation with the Indian Union.

The Khasis were at this time under the grip of political dilemma. Views of political leaders were too extreme a step to be taken. It was however fortunate for the people that the Khasi rulers had come out with one accord, to be united and in a world, with the rest of India. The Federation of Khasi States, had at this juncture, leaders of moderate views. Olim Singh, Syiem of Khyrim was the President, Jor Manick Syiem was the

Secretary and the Advisers included moderate leaders like Dr. H. Lyngdoh, Professor R.R. Thomas, Wilson Reade, Rai Bahadur Dohory Ropmay and others who emphasised that the Federation of Khasi States should follow the advice of Sardar Patel and Lord Mountbatten.

During the July 1947 session of the Constituent Assembly the Federation of Khasi States sent to Delhi two of its advisers Mavis Dunn and A.S. Khongphai to meet G.S. Guha, the common representative in the Constituent Assembly. The presence of Mavis Dunn at the Visitors' Gallery in the Constituent House caused sensation to the members of the Assembly. It particularly shocked, according to Miss Dunn, Nichols Roy himself. They had the privilege of meeting Sardar Patel, who, being in charge of the States Department, had promised to take stock of the situation and to render every possible assistance to the Khasi States. Sardar Patel suggested that this may be reported in the papers for wide publicity.²³

On the 5th August, Olim Singh, Syiem of Khyrim, President of the Federation of Khasi States reported to the Standing Committee that Nichols Roy had gone to meet Olim Singh Syiem, the President, at his residence to inform him of his (Nichols Roy) desire to meet the members of the Federation for working together. The Standing Committee was glad to accept it and the meeting was held at the Dorbar House of the Syiem of Myllichem in the morning of 6th August, where Nichols Roy came with some of his friends and supporters. Since it was in the morning there was little time for discussion. It was decided that there could be a meeting of few members only, six members from the Federation of Khasi States and six members of the Khasi Jaintia Federated States National Conference. It was felt necessary that this meeting could discuss plans, ways and means for a better course of action. The meeting was scheduled to be on the 7th August at 9 P.M. at the same place. But Nichols Roy and his friends did not turn up though it was Nichols Roy himself who had proposed the time and the venue of the meeting.²⁴ However, The Shillong Times of the 8th August writes that there was a meeting of the Khasi Jaintia Federated States National Conference and the Federation of the Khasi States on the 7th

August under the leadership of Olim Singh Syiem of Khyrim..²⁵ We presume that some papers which had given the 7th August as the date of the meeting, most probably must have taken for granted that the meeting would surely be held, the printing of which was accordingly done one day before the meeting. The letter from Nichols Roy stating that he could not come for the meeting on the 7th explains the lapse on the Shillong Times (8th August). So, the Federation of Khasi States, through its organ wanted to clear all doubts in the minds of the people that the meeting scheduled to be held on the 7th August could not be held because Nichols Roy and his supporters did not come.

We may add, that there had been difference of opinion between the Federation of Khasi States and the Khasi Jaintia Federated State National Conference over the working of the political administration. With India's Independence on the way, subsequent discussions and developments which took place explain the difference in the political strategy between the Federation of Khasi States and the Khasi Jaintia Federated National Conference.

The President of the Federation of Khasi States received another letter from Nichols Roy as to his desire of having another meeting as a result of which the meeting which was supposed to be held on the 7th August could not meet because Nichols Roy could not come. This explains, as stated above, the wrong statement given by the Shillong Times (8th August). This letter was read to the members of the Committee of the Federation of Khasi States on the 11th August. Perhaps there was an understanding that the Federation of Khasi States was in an advantageous position. Most probably, the Federation of Khasi States must have felt it necessary for another discussion with the Khasi Jaintia Federated State National Conference for unity of opinion and unity of working together as Khasis. But the Federation of Khasi States was running short of time, there were only three days left for India's Independence. So, nothing could be done.²⁶

Another clarification was sought by the Federation of Khasi States as to when it signed the Instrument of Accession and how it acceded to the Indian Union. Some days prior to the 8th August, some newspapers, had written that the

Federation of Khasi States had signed the Instrument of Accession. The Federation wanted to clear this public doubt that it had signed the Instrument of Accession only on the 8th August. Having acceded to the Indian Union, the Federation felt that it could be a fitting member of the Indian Union. It had acceded to the Indian Union on three subjects — Defence, External Affairs and Communications. Another subject — “Ancillary” would be under “miscellaneous” arising out of three subjects above, for example, like Election for the Dominion Legislature and others. The signing of the Agreement on the 8th August must have been done by the President of the Federation of Khasi States on behalf of “all” the Khasi States. It was only on the 15th December 1947 that most of the Khasi rulers signed the Agreement on behalf of their own respective states.

It may be recalled here, however, that the Political Officer, Khasi States, in his letter to the Syiems, the Lyngdohs and other States stated that all Khasi rulers were required to come to the Government House, Shillong on the 14th and 15th July 1947, ‘without fail,’ the exact time of the meeting to be notified later.²⁷ The meeting was held and Sir Akbar Hydari Governor of Assam came to an agreement with the Khasi States on the 16th July 1947.²⁸ The letter states that the Governor had not yet received the formal concurrence of Vallabhai Patel. The Governor felt, according to the letter, that:

“... time was the essence of the agreement and any further delay in giving effect to it would have led to confusion.”

Further, the letter goes on to explain that:

“Hydari has brought the agreement into force from 15th August. Bordoloi has given his approval to this agreement”

However, it appears from Nehru’s letter that:

“... It gives more control over the State’s affairs to the Union and to Assam that had been given to the Instrument of Accession which most Indian States have signed.”

It is, however, unfortunate that during this critical period, the United Khasi — Jaintia Hills Federated National Conference emerged under Nichols Roy with another objective opposed to that of the Federation. It was generally felt necessary that at this hour of crisis there should be firm unity and co-operation. The Federation understood that the line of action taken by it had displeased some people, yet, it confessed that it never wanted any ill-feeling or discrimination, damage or wrong but everything should be for the benefit of the Khasi people. The Federation sought good will from all.²⁹ As Jor Manick the General Secretary of the Federation writes:

“ . . . Nichols Roy got the support of the Assam Government. When we went to meet him and when we tried to come to a consensus, he said, the Federation does not have any ‘legal cohesion,’ the United Khasi Jaintia Federated National Conference would have the right to rule. . . .”³⁰

In such a tight situation, the Federation was pushed to the wall. It therefore decided to frame the “Skeleton Constitution” which would become the base of the Standstill Agreement. The Federation thereupon, appointed a Standing Committee which would act for the time being as the Interim Government and which would consist of the following members,³¹

1. Two Magistrates

- (a) Alimuddin Ahmed as the Chief Judicial Officer and given power by the High Court, Assam to be the Session’s Judge and who was also given the power to try and pass the sentence of death.
- (b) Ajra Singh Khongphai as the Judicial Officer of the Original Court was given the power to try civil cases and phojdari as First Class Magistrate.

2. W. Reade as Treasurer.

3. Office Assistants.

4. Bench Assistants.

The Federation had its own flag having twenty five stars to represent twenty five states. The United Khasi Jaintia Federation National Conference did not recognise it because it said, the representatives were not elected by the people.

Just before the Indian Independence Act 1947 came into operation, the land of the Khasis was politically divided into three parts — the twenty five Khasi States, secondly, the Khasi and Jaintia Hills district which includes the 33 (thirty three) British Areas and lastly Nongwah in Kamrup district. The Act of 1947 was finally brought into force and as far as the States are concerned clause (b) of subsection (1) of Section 7 of the Indian Independence Act, 1947 states that:

“As from the appointment day the suzerainty of His Majesty over the Indian States lapses, and with it, all treaties and agreements in force at the date of the passing of this Act between His Majesty and the rulers of the Indian States, all functions exercisable by His Majesty at the date with respect to Indian States, all obligations of His Majesty existing at that date towards Indian States or the Rulers thereof and all powers, right, authority or jurisdiction exercisable by His Majesty at that date in or in relation to Indian States by treaty, grant, usage, sufferance or otherwise.”

The Khasi States taken individually or collectively, as the Federation of Khasi States have their own status in their relation with the Government of India as we find in the provision of the ‘Agreement’ and the ‘Instrument of Accession.’ In accordance with paragraph 4 of the Agreement, any Khasi State or area which had been converted into ‘British’ area could join the Federation of Khasi States as ‘a unit’ as it states:

“All Khasi villages which desired to rejoin the States of which they formerly formed a part should be allowed to do so Other Khasi Territory in the Province should, if they desired, be allowed to join the Federation as Units.”

Under the operation of the “Agreement” a resolution was passed on the 1st September 1947 at a public meeting at Jowai that Jaintia Hills would join the Federation of Khasi States as a unit. This was reported by S. Bareh to the Standing Committee of the Federation of Khasi States on the 18th September 1947.³²

Going to the Instrument of Accession the Ministry of States felt that the Federation of Khasi States could enlarge the scope of the Instrument of Accession. Sir Akbar Hydari adopted certain measures through which the Standing Committee would be convinced to enlarge the scope of the Instrument of Accession. It was on the 15th December 1947 that the last and final round of negotiation took place between the Federation of Khasi States and Sir Akbar Hydari, Governor of Assam an Agent to the Dominion of India in the Governor's House. The Khasi States present were (1) Myllem, (2) Khyrim, (3) Maram, (4) Nongkhlaw, (5) Sohra, (6) Mawiang, (7) Mawsynram, (8) Langrin, (9) Bhowal, (10) Malai-Sohmat, (11) Sohiong, (12) Mawphlang, (13) Lyngiong, (14) Shella, (15) Jirang, (16) Mawlong, (17) Mawdon, (18) Dwara Nongtyrnem, (19) Pamsangut, (20) Nonglwai. Five of the Khasi rulers could not be present because of the unavoidable circumstances.³³

The Khasi rulers finally agreed to sign the Instrument of Accession together with the Annexed Agreement.³⁴ Nineteen out of the twenty five Khasi States signed the Instrument of Accession and the rest subsequently signed.³⁵ These were Myllem, Khyrim, Langrin, Bhowal, Jirang, Maharam, Mawsynram, Mawiang, Mawphlang, Sohiong, Lyngiong, Shella, Nonglwai, Pamsangut, Mawdon, Malai-Sohmat, Sohra, Nongkhlaw and Dwara Nongtyrnem States. The date of Myriaw and Nongspung States was not indicated. Nobosohphoh and Mawlong States signed later. Nongstoin and Rambrai refused to sign at the first instance, because they had not been able to convene a State Durbar to obtain the will of the people. There was an agitation championed by the Khasi Jaintia Federated National Conference for the removal of those Syiems who signed the Instrument of Accession before they obtained the State Durbar's consent. However, the two states later agreed to sign the Instrument of Accession.³⁶ Some of the Khasi rulers had some misgivings that the Instrument of Accession would place the Khasi States, in any matter, under the Dominion Legislature which would make laws, binding on the said Khasi States. They thought it might be dangerous for their political survival. So, G.E.D. Walker, adviser to

the Governor of Assam clarified this in his letter to the Secretary, Federation of Khasi States:

“That the rulers of the Khasi States need have no cause for apprehension, the power of the Dominion Legislature to make laws in the States, as preferred in your letter, is in accordance with the provision of the Instrument of Accession, but is limited to those subjects which are included in what is known as the Federal list (Seventh Scheduled Govt. of India Act 1935) read with Section 5 of the Agreement attached to the Instrument of Accession.... I am to act that where a Standstill Arrangement exists, the existing laws continue as before....”³⁷

Addressing the Khasi rulers on 15th December 1947 after signing the Instrument of Accession, Sir Akbar Hydari, the Governor, welcomed the idea of a Federation as “an Agency which sought to unite all Khasi States.” He emphasised that:

“The Federation is not one of the Siems alone but of States; a state is an organic entity and apart from the purely legal aspect it is not only the Siem alone but the Siem and its people together.”

The Governor explained the term “Accession” by indicating that the conditions of entry were those set down in the Agreement as referred to in the Instrument of Accession that:

“The Siem of a State signing it signs as the Head, for the time being, of the state in whose behalf he has acceded. It does not ensure that the person who is now the Siem of the State must always remain so. That is a matter which must be governed by Khasi customary law or the customary law of the State as the case may be.”

Secondly, the Governor is said to have advised:

“... before proceeding to set up the administrative machinery allowed under the Agreement the representatives of the States’ Federation and of the Khasi Jaintia State National Conference should come together and reach an agreement as to how such administration should be run....”

Lastly, the Governor advised the formation of the Committee in the Khasi States Federation which could work out rules on problems of common interest like the administration of Shillong and other things. In a word, by joining the Federation, the Governor felt that the States could pool their resources for mutual benefit. Hence the Siems should endeavour, the Governor again said, to effect a compromise which would be in the interest of all Khasis.

The people thanked his Excellency and Rai Bahadur D. Ropmay, Adviser to the Khasi States Federation spoke of:

“... a deep debt of gratitude on this historic and unforgettable occasion when the States had formally signed the Instrument of Accession to the Dominion of India... there was no community in Assam which was more freedom loving than the Khasis who had maintained their independence for centuries... the Khasi States hoped that he would always give them the benefit of his valued advice and wisdom.”

It was on the 29th December that an information was received that Sardar Vallabhai Patel Deputy Prime Minister and Minister in charge of the Ministry of States would come to Shillong on the 1st January 1948 at 11 A.M. He was received by Sati Raja, Syiem of Myllem and many more others from the Khasi States and the Khasi States People's Union which supported the Federation of the Khasi States.³⁸ Though time was short for information to be given to the Khasi rulers, yet they were able to come and meet Sardar Patel and the Governor in the Government House on the 2nd January 1948. The Khasi rulers presented the welcome address where they outlined the way of life, the political institutions and others of the Khasi people. They referred to the Instrument of Accession and the Agreement that:

“... the covenant opens the way by which we can retain our time honoured rights and privileges, promote and consolidate the political institutions laid down by our forefathers, and cooperate with the other members of the Dominion for strengthening and shedding lustre to the great Dominion of India.”

It was, however, strange that Sardar Patel did not speak anything about the Instrument of Merger but in his speech he praised the natural beauty of the land when he said,

“Yours is a land for Gods to live in, its airs, its natural scenery, its pure atmosphere, its sweet waters, would attract even Gods if your hearts were pure.”

In spite of the visit of Sardar Patel, the Khasi States still refused to sign the Instrument of Merger though the remaining States which had not signed the Instrument of Accession signed the same.

So long, the Khasi States were still having links directly with the Ministry of States. But it was agreed that, under the New Constitution, the Khasi States could themselves decide their status in the Constitution. A Notification to this effect was issued that the Khasi States Constitution Making Durbar would be constituted which would consist of all the heads of the Khasi States and elected members, who would be elected by adult franchise. It would also have the power to nominate some members.

In the meantime, there was a tug of war between the Federation of Khasi States and the Khasi Jaintia National Federated State Conference. On the 26th January 1948 a letter was sent to all the Heads of the Khasi States along with the rulers of the Constituent Assembly of the Federation of Khasi States.³⁹ J.J.M. Nichols Roy and his party were not satisfied. Therefore, the Dominion Agent of the Khasi States sent a letter, to both the parties, the Federation of Khasi States and Khasi Jaintia National Federated States Conference on the 15th June 1948.⁴⁰ According to this letter, both the parties were directed not to proceed with any election at the moment because it was felt:

“An attempt should be made to obtain the greatest common measure of agreement between the Khasi States Federation and the Khasi Jaintia National Federated States Conference.”

The Dominion Agent also directed them:

“... to appoint an advisory body of about ten members within seven days to assist me in coming to a settlement

of practical issues concerning the formation of a Khasi States Constitution.”

The names of the Advisory Committee were requested to be sent before the 22nd June 1948 to enable the Dominion Agent to proceed and commence practical discussions.

It may be recalled that the general Dorbar of Khasi rulers along with the general local public met to discuss on certain administrative and political matters on the 19th April 1948. It was attended by Syiems, Lyngdohs, Wahadadars, Sirdars and representatives of the people including those of the Khasi States People's Union. It ended with many vital resolution which was adopted unanimously. An important item which was discussed was the question of calling the constituent Assembly of the Khasi States at an early date. According to the Press release issued by the Federation of Khasi States, it was stated that a general feeling with one of resentment against the Khasi Jaintia Federated State National Conference for its activities in all the Khasi States in misleading sections of people and agitating them against rulers duly constituted by the people in interfering with and obstructing the smooth administration of those states in fanning people's passions against signing the Instrument of Accession by the rulers, in demoralising them by all sorts of blackmailing and vilification, and in putting obstacles by means of false propaganda, false representation and subtle manoeuvring in the way of the Federation of Khasi States to function as full fledged Government. It was decided that henceforth the Conference should be ignored as a Political Organisation in Khasi States and that the Constituent Assembly should sit at an early date to frame the Constitution by the will of the people themselves.

A solitary question was also raised by a member of the Dorbar if instead of calling the Constituent Assembly for the States only, it would be better to call the Constituent Assembly of the States and non-states also to frame a common constitution for all. To the non-State areas the feeling was felt to be one of deep brotherhood and warm welcome if they should choose to come, and, in the Constitution to be framed, provisions should also be kept for their entry. But in view of the present position the urgency of circumstance, and the campaign of the Conference in those areas it was thought inexpedient and

impossible to delay the calling of the Constituent Assembly of Khasi States any more. It was however, decided that negotiation with non-states should be carried on at a joint conference with 31 Sirdars of Khasi Ilakas and the 22 Dolois of Jaintia Hills to be called at an early date.

As a follow up of the direction given by the Dominion Agent, a Joint meeting of the representatives of different political organisations was held in the office of the Dominion Agent, Khasi States on the 15th July 1948 to consider and frame rules for the election to the Constitution Making Durbar of the Khasi States.⁴¹ In the joint meeting mentioned above, the representatives of the Khasi States Federation were:

1. Dr. H. Lyngdoh
2. Rai Bahadur Ropmay
3. Mr. W. Reade
4. Siem of Jirang
5. Mr. Jormanick
6. Mr. R.R. Thomas
7. Mr. David Roy

The Representatives of the Khasi Jaintia Federated State National Conference were:

1. Mr. B. Khongmen M.L.A.
2. Mr. A. Alley
3. Mr. W. Khongwir
4. Mr. S.G. Nalle
5. Mr. P.W. Lewis

The Representatives of the Khasi States People's Union were:

1. Mr. H. Dunbar
2. Professor G.G. Swell
3. Mr. O.H. Rease
4. Mr. S.M. Lister
5. Mr. S.R. Ronney

In addition to the above, the following officials were present:

1. N.K. Rustomje, Esq. I.C.S. Governor's Adviser for some time only.

2. Mr. S.J. Duncan, Secretary to the Government of Assam.
3. Rai Bahadur H. Blah, Addl. Deputy Commissioner, Khasi and Jaintia Hills.
4. Mr. J. Swer, Divisional Forest Officer, Khasi and Jaintia Hills.
5. E.H. Pakyntein, Senior Extra Asstt. Commissioner.
6. R.T. Rymbai, Assistant to the Dominion Agent, Khasi States.

The resolutions were unanimously passed that all possible help should be given to facilitate the unification of all Khasi territories. Other Khasi territories in the Province, should, if they decided, be allowed to join the Federation as units. Secondly, pending the decision of the Provincial Government on the unification of all Khasi territories, it was, however decided that rules for the election of members of the Constitution Making Durbar of the 25 Khasi States only be framed for the present and that these rules be called Part I. Thereafter if the Provincial Government agreed to the unification of all Khasi-Jaintia territories as envisaged in the Instrument of Accession and the Standstill Agreement, Part II of the rules will be framed to bring in the Non-State areas into the fold. Thirdly, a unanimous decision was taken by the joint meeting as to the framing of the rules for the election of members to the Constitution Making Durbar of Khasi and Jaintia Hills, the rules of which were, that there would be the Constitution Making Durbar for the 25 States which should be put into effect as early as possible. The Durbar would include the Heads of 25 Khasi States, in case of Shella and Mawlong which had two heads each, one from each would be elected to represent them. For every 4000 people in any State there would be one elected member according to the rules prescribed. If a particular state had less than 4000 population it could get the chance of sending one representative. This could give equal weightage to small States with less population. States having a population of more than 4000 may be divided into constituencies, "due regard being paid to the population and geographical contiguity of each constituency." In each constituency, thus, formed, population of over 4000 but less than 6000 shall elect one member. Non-Khasis numbering 2000 or over shall be deducted from the total

population of each State. In this regard indigenous tribal population like the Garos in Nongstoin State, shall have the right to vote. Eight persons are to be nominated by the Constitution Making Durbar and each member will vote for eight different persons. There are also general qualifications for the Voter and the 'prescribed date' with reference to which the age of a voter is to be calculated. Besides, the eligibility of standing as a Candidate and a norms and mode of the election adopted by the joint meeting were also unanimously accepted.

However, there were four points which were referred to by His Excellency, the Governor, on which he could not reconcile for the proper working of the election process. First, eight persons were to be nominated, four of whom shall be women to be nominated by His Excellency, the Governor of Assam and the remaining four persons to be nominated by the Constitution Making Durbar. In the rural state areas outside the Shillong Administered areas, only adult males of 18 years and above would be eligible as voter. In the Shillong Administered areas, both males and females of 18 years and above will be eligible as voters and candidates. Secondly, His Excellency, the Governor, saw no reason why the two M.L.A.'s should *ipso facto* be members of the Constitution Making Body. They may be elected like other candidates or nominated subsequently by the Constitution Making Durbar among the eight nominated members. Thirdly, there was no reason, His Excellency felt, why the nomination of the eight members should be by the federation to whom a particularly privileged position on the Constitution Making Body could not be conceded. The Governor was of the opinion that it would be for the elected members to decide their nomination. Fourthly, His Excellency held that a voter for a particular constituency should be a prerequisite for standing as a candidate in that constituency in order that the State may be represented by persons having an intimate knowledge of the affairs of the State.

In order to remove any doubt or misunderstanding in the minds of the voters or prospective candidates, the Dominion Agent circulated a letter to all the Syiems, the Lyngdohs and the Sirdars of Khasi States regarding the application of rule

8(1) of the Rules for the selection of the members to the Constitution Making Durbar of the Khasi States which says:

“A Voter cannot vote in more than one constituency and he can choose to vote in a place where he is either a resident or where he is a subject of the State concerned.”⁴²

In accordance with the above rule a voter who resides in his own state cannot exercise his vote in any constituency other than that in which he resides but a voter who does not reside in his own State has the option to exercise his vote either in the particular constituency of his own state wherein his family resides. He can exercise his vote in either of the two but not in both. It follows, therefore, that no person can stand as a candidate for the constituency where he cannot exercise his vote. Again, the Parwana explains that by family residence is meant the nearest of kin in order of relationship. In this connection, the decision of the Dominion Agent regarding the eligibility of a person for candidature by virtue of residence or relationship is final. As a guiding principle, the length of actual residence of a candidate must not be less than 6 months, prior to the last date fixed for filing of nomination papers and the nature of relationship must be in order of its importance. Added to this, the presiding officers and polling assistants who are on duty at the polling station where they cannot vote can send in their names in writing to the Presiding Officer of a station where they are entitled to vote. Such Officer should read out to the candidates the names submitted to him before counting starts. No other person or persons can exercise a vote without physical presence on the spot at the scheduled time.

The election was, however, held in January-February 1949, the details of which are given below.⁴³

1. Myllem was divided into eleven constituencies — Elected members were O.H. Rease, G.G. Swell, A. Alley, Dinet Syiem, Jum Singh Syiem, Owenton Roy, B. Kharsohnoh, Sporso Manick Syiem, Hormo Roy, Hidon and Jin Ram Mikir.
2. Khyrim was divided into twelve constituencies — Elected members were James Lyngdoh, Lonsing Lyngdoh, Soni Kharpraw, Wenly H. Cotton, Jwen Singh, Dular Singh Syiem, Jram Singh, Kynjai, Treshon, Ron Singh and Nilip

Shadap.

3. Nongkhlaw was divided into four constituencies — Elected members were Rindro, Omiwell, Handal Manick and Dak Sun.
4. Maharam was divided into four constituencies — Elected members were Symbu Roy Basan, Tera Sing, Rossiah Nongrum and Maniwel Jahrin.
5. Nongstoin was divided into three constituencies — Elected members were El Singh, Harijan Lyngdoh and Kaman Singh.
6. Sohra was divided into three constituencies — Elected members were Mesing Syiem, Seburai and Ijro Khongsit.
7. Other States had one representative each
 - (a) Gostorial Bonnia (Dwara Nongtyrnem State)
 - (b) Kodlin Lyngdoh (Mawlong State)
 - (c) Listondar (Bhowal State)
 - (d) Ekrantle (Mawdon State)
 - (e) Gurunath (Shella State)
 - (f) Sirosar Marbaniang (Mawsynram State)
 - (g) Khronikle Ruah (Malaisohmat State)
 - (h) Sein Singh Lyngdoh (Langrin State)
 - (i) Phrinshon Lyngdoh (Mawiang State)
 - (j) Kaiser Syiem (Nobosohphoh State)
 - (k) Mahon Singh (Jirang State)
 - (l) Siap Singh (Nongspung State)
 - (m) Albert Lyngdoh (Sohiong State)
 - (n) Tiker (Pam Sanngut State)
 - (o) Klik Lyngdoh (Myriaw State)
 - (p) Soin Singh (Rambrai State)
 - (q) Dwindra Jala (Lyngiong State)
 - (r) Gresswen Singh Rinborne (Nonglwai State)
 - (s) Chondri Mohon (Mawphlang State)

Nominated members elected by the Khasi State Constitution Making Durbar included Rai Bahadur D. Ropmay, Dr. H. Lyngdoh, Rev. J.J.M. Nichols Roy, and Prof. R.R. Thomas. Nominated members (women) nominated by the Governor were Mrs. B. Khongmen, Mrs. B. Taylor, Mrs. L. Shullai and Miss Mavis Dun, Dr. H. Lyngdoh was elected Chairman, Prof. R.R. Thomas as Vice-Chairman and Jor Manick as Secretary

of the Khasi State Constitution Making Durbar.⁴⁴ The Heads of the States are as follows:⁴⁵

	<i>Syiem</i>
1. Khyrim	— Olim Singh
2. Myllem	— Sati Raja
3. Nongkhlaw	— Kedro
4. Cherra	— Join Singh
5. Nongstoin	— Sib Singh
6. Maharam	— Bamon Singh
7. Nongspung	— Pyrba Singh
8. Langrin	— Doli Singh
9. Mawsynram	— Ijolin Singh
10. Myriaw	— Ram Singh
11. Rambrai	— Herson Singh
12. Mawiang	— Hiro Singh
13. Bhowal	— Hewarshon
14. Malaisohmat	— Elenshon Singh
15. Nobosohphoh	— Sune Singh
16. Jirang	— Sirendro
	<i>Lyngdoh</i>
17. Sohiong	— Mawoon
18. Mawphlang	— Nokol Singh
19. Lyngiong	— Jlen (Shamon myntri was the representative)
	<i>Wahadadar</i>
20. Shella	— Orjiem
	<i>Sirdar</i>
21. Mawlong	— Illiam
22. Mawdon	— Hadon
23. Dwara Nongtyrnem	— Mossiah
24. Nonglwai	— Kendrowell
	<i>Doloi</i>
25. Pam Sanngut	— Sumar

The Khasi State Constitution Making Durbar was inaugurated on the 29th April 1949 at the Dinam Hall, Shillong.⁴⁶ It was presided over by the Dominion Agent, Khasi States, N.N. Phukan. The speech was given by the Governor of Assam.

Among those who were present included Olim Singh, Syiem of Khyrim, President of the Federation of Khasi States, G.S. Guha, the common representative of Manipur, Tripura and the Khasi States in the Constituent Assembly, B.M. Roy, the Additional Deputy Commissioner, Khasi and Jaintia Hills, R.T. Rymbai, Assistant Dominion Agent, Khasi States, David Roy, Chief Administrative Officer, Myllem State, A.S. Khongphai, Assistant Judge, Court of the Federation of Khasi States, Dr. H. Lyngdoh, Rai Bahadur D. Ropmay, Prof. R.R. Thomas, A. Macdonald Kongor, E.M. Roy, Miss Mavis Dunn, Mrs. Berlina Diengdoh and others.

Various meetings and discussions were held from time to time. The Khasi States Constitution Making Durbar had many sessions which discussed the mode of administration and other allied matters. Resolutions were read and placed for discussion. In the end when the Chairman read the amendment of the Syiem of Jirang on the Resolution of Prof. G.G. Swell on the 21st July 1949, it was carried by a majority of 46 to 40. The amendment runs:⁴⁷

“This Constitution Making Durbar of the Khasi States, consisting of the Heads and Elected Representatives of the people of these States realising the urgent need for the administration of the 25 Khasi States and the Non-States areas (31 sirdarships in Khasi Hills and the Jowai Sub-division in the Khasi and Jaintia Hills) having a large measure of self government and being convinced that such administration is possible under the provision of the instrument of Accession and the Annexed Agreement entered into between the Dominion of India and the Province of Assam, on the one hand and the Khasi States on the other hand, and also possible under the provisions of the Draft Constitution of India, with necessary modification and or adjustment of the said provisions to suit conditions in the Khasi States, do hereby solemnly declare their ardent desire for the formation of the said one administration, wherein amongst others, the following rights, privileges and customs shall be preserved and maintained:

1. The existing democratic institutions of the Heads of the States (viz the Syiems, Lyngdohs, Wahadadars and Sirdars) and the Durbars.
2. Land, its protection thereof and the ownership, according to customs, to rest with the people and not with the Government.
3. Water rights.
4. Minerals.
5. Excise.
6. Forests.
7. Judiciary.
8. Legislative powers covering all these subjects mentioned herein."

When the amendment to appoint members for the Negotiating Committee was placed before the Durbar, 40 of the members walked away. The Durbar, however, appointed 16 members for the Negotiating Committee. They were Dr. H. Lyngdoh, Prof. R.R. Thomas, Syiem of Jirang, Syiem of Nongkhlaw, Prof. G.G. Swell, Illiam Sirdar, Syiem of Khyrim, Albert Lyngdoh, O.H. Rease, the Syiem of Myllem, the Syiem of Myriaw, Jum Singh Syiem, Mesing Syiem, Rai Bahadur D. Ropmay, Miss Mavis Dunn Lyngdoh and H. Cotton.⁴⁸

On the 30th July 1949, according to the letter from the Chairman, Constitution Making Durbar, the Negotiating Committee submitted a document to the Governor of Assam, according to which the members felt that the Sixth Schedule does not guarantee the traditional rights and privileges of the Khasi people.⁴⁹ Another letter states that the Negotiating Committee had a discussion with the Governor on the 27th September 1949. They requested His Excellency to see that the following provision be incorporated in the Constitution of India:

"... provided that nothing in this Constitution be construed as empowering any authority to interfere with or undermine the democratic institutions and the traditional customs and usages of the Khasis, nor to diminish the traditional rights and privileges."

When the matter was brought to His Excellency, the Adviser, Governor of Assam, Shri N.K. Rustomji was directed

to inform the Chairman, Constitution Making Durbar of the Khasi States of the amendments of the Sixth Schedule the copy of which was attached along with the letter.⁵⁰ A statement regarding the meeting between His Excellency and the members of the Constitution Making Durbar on the 27th September 1949, was also attached. According to the statement, the Governor has in the first place the most careful consideration to all that had been represented to him by the members of the Negotiating Committee and had the deepest sympathy with the aspirations of the people. Secondly, in the new constitutional set up, the Khasi people want to live according to their traditional customs and traditions. This case has been presented by the Governor to the Ministry of States, during his recent visit to Delhi. Thirdly, the main demand of the Khasis has been for a united administration and an amalgamation of the States and the Non-State areas into a single administrative unit. The Khasi people felt that the division as existed had been purely artificial. So, when the country, was free, any further division of the people should be eliminated. The Sixth Schedule has given a single administration and distinction between the State and Non-States should not exist. Fourthly, the Negotiating Committee wanted to retain their traditional institutions. As an answer to this, the Honourable Minister of States assured the Governor that the Sixth Schedule would not by any means bring an end to the traditions, the traditional institutions, customs and usages of the people. The very basis of the Sixth Schedule is that the tribal people should decide for themselves. The District Council has been given ample powers, and far from there being any question of elimination the Syiems and the Chiefs, specific provisions have been made for them in Section 3, where it was laid down that the District Council should have power to make laws with respect to their Appointment and Succession. Similar was the case of land water rights. The power of making laws with respect to these subjects would be given to the District Council. If any of the laws passed would be prejudicial to the interest of the people, the Governor would intervene. Fifthly, the Governor had full confidence that the Khasi people would, in the new set up, have every opportunity to fulfil their own individual genius and contribute to the growth of the greater body of India. Though the period

has been a trying one, yet the Governor felt that every individual has a part to play for the common interest. Lastly, the Governor urged the members of the Negotiating Committee, to set aside the feelings of party and should co-operate in strengthening the people both in mind and body. The Governor felt that the people of the hills has been endowed and gifted with qualities that could raise them to great heights both in the eyes of the people of India and of the world.

The Constitution Making Durbar of the Khasi States felt that traditions and customs of the people may be disturbed and that the future of the Khasi States may be politically in danger. So, a memorandum was submitted by the Negotiating Committee of the Constitution Making Durbar of Khasi States at the Conference with His Excellency, the Governor and the Acting Chairman of the Drafting Committee of the Constituent Assembly on the 5th November 1949. The memorandum strongly holds the view that the indigenous people inhabiting the Hills are entirely different from the rest of India as they have distinct traditions, culture and civilisation of their own. From time immemorial, the land has been ruled by indigenous democratic rulers called Syiems, Lyngdohs and Sirdars, elected by the people and subject to deposition by the will of the people. The rulers are, as a rule, not hereditary and if any vacancy arises, it is to be filled up by election. Secondly, they have so long enjoyed all the ancient rights and privileges under the British. One of these privileges is that the people and not the rulers are the owners of the land. In this memorandum, reference has been made to the views given by Colonel Bivar as early as 1874 when he wrote:

“It is to be observed that the Chiefs in the Khasi Hills States are not territorial sovereigns but elected democratic Chiefs and that they have no right whatsoever in the soil, lands in the Khasi Hills, belonging to the children of the soil, are the property of the owners, for the right to which he is answerable to no Chief and for which he pays no land tax of whatever nature and the only person who can demand rent for land is the proprietor who does as he thinks fit with his own and is subject to no control in respect of it. A Chief is not a zamindar, he is, as I have said

before, a democratic ruler and as such his power extends not to the soil”

Thirdly, the Memorandum regrets that during the British regime, some Khasi villages were allowed to secede from their present states and they were declared as British areas — But, fortunately the traditional system of land tenure still exists. Fourthly, on the eve of India’s Independence, the Khasi rulers formed the Federation and jointly signed the Instrument of Accession to the Dominion of India. One of the terms of the Instrument is that the seceded villages should be allowed to unite with the parent states. Fifthly, the Constitution Making Durbar which was inaugurated by the Governor formally resolved that with a view to unification of the administration of the Khasi and Jaintia Hills, all non-state areas should be allowed to rejoin their parent States and form a Union of Khasi and Jaintia Hills preserving therein their ancient institutions of Syiemship, the right of the people to the soil and various other rights. But, the Memorandum regrets that in the Draft Constitution that has been passed in the second reading, the traditional rights, privileges and institutions as specified in the resolution of the Constitution Making Durbar have not been incorporated. The Committee has submitted, through the Governor of Assam, the incorporation in the Constitution of India the following provision:

“Provided that nothing in this Constitution shall be construed as empower any authority to interfere with, or undermine the democratic institutions and the traditional customs and usages of the Khasis nor to diminish their traditional rights and privileges.”

Lastly, the Negotiating Committee earnestly requests His Excellency, the Governor of Assam and the Hon’ble Acting Chairman of the Drafting Committee to incorporate the provision in the Constitution so that:

“The continuance of the democratic system of the Government peculiar to the Khasi people, as well as the protection of their sacred rights and special privileges over the soil and sundry other rights may be guaranteed.”

Negotiations, talks and discussions went on between the Negotiating Committee and the Ministry of States and the Drafting Committee of the Constituent Assembly as well. In a word, for all practical purposes it was the unanimous desire of the Khasi States Constitution Making Durbar that the Khasi States should be brought together under one administration. On the 7th September 1949, the Chairman of the Drafting Committee, Dr. Ambedkar moved his amendment to para 19 of the Sixth Schedule of the Draft Constitution:

“The United Khasi and Jaintia Hills district comprise the territories before the commencements of this Constitution were known as the Khasi States and the Khasi and Jaintia Hills District excluding any areas for the time being comprised within the Cantonment and Municipality so much of the area within the Municipality of Shillong as form part of the Khasi State of Myllem.”⁵¹

The Constitution, as settled by the Constituent Assembly, was discussed from the 17th November 1949 and finally passed by the Assembly on the 26th November 1949.⁵²

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(ii) Please see Appendix "B" of L.G. Shullai: "Ki Hima Khasi," Shillong 1975.
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30. Jor Manick, *op. cit.*, p. 30.
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35. See Appendix "H".
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40. Letter from the Dominion Agent, Khasi States, Shillong, Memo. No. 1903-929/KS, Shillong the 15th June 1948.
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CONCLUSION

The English were fascinated and attracted to the hills for its rich natural beauty and bracing climate conducive for European invalids. They were content having found a sanatorium and a health resort. But they did not take time to realise the rich potentialities of the hills which could be comfortably tapped through political strategy and military manpower.

Ever since the days of the Ahoms, the Syiems of Shyllong and Sutnga native states were among the most daring. It may be recalled that some Khasi rulers lost their control over the Duars which they had enjoyed during the Ahom Government as a result of the Anglo-Burmese War. Others had been asked to pay fixed cash demands to the British which they could not. Consequent upon their inability to pay, the Duars were forcibly taken away by the British. This was done to squeeze the Khasis economically.

Bor Manick, Syiem of Shyllong was the first Khasi ruler who had the courage to seize the collection made by the English revenue officers. This enraged the English and brought Bor Manick in direct confrontation with them. The Khasi native rulers rallied together to challenge the skillful military tactics of the English. The Resistance Movement gained momentum but the Khasis were at last overpowered by the superior war equipments of the English. The Khasi states were then brought under the subsidiary alliance, some became semi-independent, some minor or dependent states, others were converted into British areas. With economic interest ensured, trade facilities accelerated, education and

envangelisation facilitated, political domination exercised, the English left no stone unturned to achieve their objective.

It sounds paradoxical that some Khasi rulers had gone against the common interest of the Resistance Movement. Consciously or unconsciously the English intervened in the local issues of native states shall we say, to fasten the fabric of political control ? Yet, it may not be out of place to say that it might have also been the vision, and understanding of those Khasi States, in their own capacity of course, how the impending situation should be tackled. Again, there might have been times when the political turn of events has been overlooked or even misjudged. It may be in the fitness of things to say that Khasi challenge against British brutality has been a struggle comparable in complexity to any other movement in India.

It is unfortunate that it should go in the pages of history that the period has tarnished and distorted the traditional image of the society, with a 'scar' which time alone can erase. It has divided the sentiment of the race, it has geographically divided the hills with new nomenclatures tagged to them, unwanted and uncalled for, it has brought in change in the fundamental land system of the people. In short, it has created certain problems, vexed and perplexed, which demands social and political adjustment. The administrative machinery adopted by the English for the colonial convenience became a deceptive facade; it complicated the social identity of the hills when it collided with that of the plains.

Yet notwithstanding, the positive contribution made by the English, nay the legacy bequeathed to the Khasis should not be ignored. Speaking of the political developments which subsequently took place in the hills and the untiring efforts of some British administrators, prepared a congenial atmosphere for more political awareness for the Khasi native states. The latter were motivated to strongly commit themselves for the cause of Khasi unity among states and non-states in that hour of crisis for national solidarity. When the English left, the whole Khasi race was brought under one administration. We remind ourselves through the words of Sardar Patel, who remarked on the 5th July 1947:

“The country with its institution is a proud heritage of the people who inhabit it. It is an accident that some live in states and some in British India, all alike partake of its culture and character. We are all knit together by bonds of self interest. None can segregate us into segments, no impassable barriers can be set up between us.”

British rule covering a period of a little more than a hundred years provides ample room for the reconstruction of the history of India. Every geographical region with its regional variations and ingredients in the historical perspective may widen the horizon for the historian.

APPENDICES

APPENDIX 'A'

GENERAL FORM OF AGREEMENT, 1867.

I, resident of, Illaka, having been appointed to the Chiefship of the said Illaka, hereby agree and promise that I will conduct myself agreeably to the following rules:

1. I consider myself under the orders and control of the Deputy Commissioner of the Cossiah and Jynteah Hills, and in the event of any disputes arising between myself and the Chief of any other State, they shall be decided by the Deputy Commissioner of the Cossiah and Jynteah Hills, or any other duly authorised officer appointed by the Lieutenant-Governor of Bengal.
2. I will adjudicate and decide all civil and all criminal cases not of a heinous kind which may happen within the limits of my State, and in which the people of my territory alone are concerned; but in regard to heinous offences I will report their occurrence immediately to the Deputy Commissioner of the Cossiah and Jynteah Hills, and will take upon myself the arrest of persons concerned, whom I will deliver up to be dealt with by the Deputy Commissioner or other officer appointed by him for that purpose.
3. In all disputes which may arise with other Cossiah Chiefs, and in all cases in which persons of other States, Europeans or Natives of the plains, may be concerned within the limits of my territory, I promise to refer the matter for adjudication by the Deputy Commissioner of the Cossiah and Jynteah Hills, or other duly constituted British authority. The authority of the British Government in connexion with my Chiefship extends so far that, in case of my using any illegality, or in the event of my people being dissatisfied with me, Government will be at liberty to remove me from my said rank and appoint another Chief in my stead.

4. I bind myself to submit to all orders issued by the Deputy Commissioner of the Cossiah Hills, or other duly authorised officer, and to make over on demand all refugees and civil and political offenders coming to, or residing within, my territory.
5. I also agree to supply any information relative to my territory and its inhabitants whenever I may be required to do so by the officers of the British Government. I will always use my best endeavours to maintain the well-being of the people residing in my territory, and I will give aid and protection with all my might to Government officers and travellers passing through; also to people of other illakas residing in my territory. I will also endeavour to facilitate free intercourse and trade between the people of the territory under me and the people of other districts and States.
6. I acknowledge the right of the British Government to establish civil and military sanitarium, cantonments, and posts in any part of my State, and to occupy the lands necessary for the purpose rent-free. I will give Government every assistance which may be required in opening roads within my State.
7. I will implicitly obey all orders issued to me by the Deputy Commissioner of the Cossiah and Jynteah Hills; otherwise I agree to suffer fine or such other penalty for my misconduct as the Government may think fit to inflict.
8. I hereby add my Agreement to the cession by my predecessors of the lime, coal, and minerals within my State on condition of receiving half the profits arising from their sale, lease, or other disposal and on the same terms to the cession; also of all such waste lands, being lands at the time unoccupied by villages, cultivation, plantations, orchards etc., as may be required to be sold as waste lands.

Fully understanding the terms of this engagement, I hereby affix my hand and seal this day of 1867.

APPENDIX 'B'

GENERAL FORM OF AGREEMENT, 1875.

I , having been appointed by [*His Excellency the Viceroy and Governor-General of India, or by the Chief Commissioner of Assam (as the case may be)*] to be Chief of the State of in the district of Cossiah and Jynteah Hills, do hereby agree and promise that I will, in the administration of the said State, conduct myself agreeably to the following rules:

1. I consider myself to be under the orders and control of the Deputy Commissioner of the district of the Cossiah and Jynteah Hills. In the event of any dispute arising between myself and the Chief of any other Cossiah State, such dispute shall be decided by the Deputy Commissioner of the Cossiah and Jynteah Hills, or by any other officer duly authorised in that behalf by the Chief Commissioner of Assam or by the Government of India.
2. I will adjudicate and decide all civil cases and all criminal cases, not of a heinous kind, which may arise in the limit of the state, in which the subjects alone are concerned. I will report the occurrence of heinous offences within the limits of the State immediately to the Deputy Commissioner of the Cossiah and Jynteah Hills, and will arrest the persons concerned in them, whom I will deliver up, to be dealt with by the Deputy Commissioner or by any other Officer appointed by him for that purpose. I promise to refer all civil and criminal cases arising within the limits of the State in which the subjects of other Cossiah States or Europeans, or Natives of the plains may be concerned, for adjudication by the Deputy Commissioner of the Cossiah and Jynteah Hills, or by any other officer appointed by him for that purpose.
3. In case of my using any oppression, or of my acting in a manner opposed to established custom, or in the event of my people having just cause for dissatisfaction with me,

the Chief Commissioner of Assam may remove me from my Chiefship and appoint another Chief in my stead.

4. I will surrender to the Deputy Commissioner of the Cossaiah and Jynteah Hills, on demand, all civil or political offenders coming to or residing within my jurisdiction.
5. I will supply any information relative to the country under my control and it's, inhabitants whenever I may be required to do so by the Deputy Commisioner of the Cossaiah and Jynteah Hills. I will always use my best endeavours to maintain the well-being of the people subject to my rule, and I will give aid and protection with all my might to officers of the British Government and travellers passing through, also to people of other jurisdictions residing in my jurisdiction. I will also endeavour to facilitate free intercourse and trade between the people of the State under me and the people of other districts and States.
6. I acknowledge the right of the British Government to establish civil and military sanitarium, cantonments, and posts in any part of the country under my control, and to occupy the lands necessary for that purpose rent-free. I will give to the British Government every assistance which may be required in opening roads within the State.
7. I will implicitly obey all orders issued to me by the Deputy Commissioner of the Cossiah and Jynteah Hills, or any other officer duly authorised in that behalf by the Chief Commisioner of Assam or by the Government of India. In case of my violating this rule I shall suffer fine or such other penalty for my misconduct as such officer may think fit to inflict.
8. I hereby add my agreement to the cession by my predecessors of the natural products of the soil of the State viz., lime, coal, and other minerals, and of the right to hunt and capture elephants within the State, on condition that I shall receive half the profits arising from the sale, lease, or other disposal of such natural products or of such right. On the same condition I agree to the cession of all waste lands, being lands at the time unoccupied by villages, cultivation, plantations, orchards, etc., which the British Government may wish to sell or leased as waste lands.
9. I will not alienate to any person any property of the State,

moveable or immoveable, which I possess, or of which I may become possessed, as Chief of the State.

- *10. I will cause such areas as may be defined by the British Government for that purpose to be set aside for the growth of trees to supply building timber and firewood to the inhabitants of the State. I will take efficient measures to secure these areas against destruction by fire and by jhuming.

* Inserted at the option of the Chief Commissioner of Assam.

APPENDIX 'C'

I. GENERAL FORM OF SANAD PRESCRIBED BY THE GOVERNMENT OF INDIA IN 1877.

You having been elected Siem of the State of in the district of the Khasi and Jaintia Hills, this Sanad ratifying your election and appointing you Seim, is conferred upon you on the following conditions:

- I. You shall be subject to the orders and control of the Deputy Commissioner of the district of the Khasi and Jaintia Hills, who will decide in the dispute that may arise between yourself and the Chief of any other Khasi States. You shall obey implicitly any lawful orders which the Deputy Commissioner or other officer authorised on that behalf by the Government of India, may issue to you.
- II. You are hereby empowered and required to adjudicate and decide all civil cases and all criminal offences, except those punishable under the Indian Penal Code, with death, transportation, or imprisonment for five years and upwards, which may arise within the limits of the State, in which your subjects alone are concerned. In regard to the offences above excepted, you shall submit an immediate report to the Deputy Commissioner of Khasi and Jaintia Hills, and faithfully carry out the orders he may give concerning their disposal. And you shall refer to all civil and criminal cases arising within the limits of your State, in which the subjects of other Khasi States, or Europeans, or natives of the plains, may be concerned, for adjudication by the Deputy Commissioner of the Khasi and Jaintia Hills, or by the any other officer appointed by him for that purpose.
- III. The Government of India shall be at liberty to establish civil and military sanitarium, cantonments, and posts in any part of the country under your control and to occupy the lands necessary for that purpose rent-free.

- IV. You hereby confirm the cessions to the British Government by your predecessors of all the lime, coal and other mines, metals and minerals found in the soil of your State, and of the right to hunt and capture elephants within your State, on condition that you shall receive half the profits arising from the sale, lease, or other disposal of such lime, coal, or other minerals, or of such right. On the same condition, you confirm the cession to the British Government of all waste lands, being lands at the time of cession unoccupied by villages, cultivation, plantations, orchards, etc., which the British Government may wish to sell or lease as waste lands.
- V. You shall not alienate or mortgage to any person any property of the State moveable or immoveable, which you possess or of which you may become possessed as Chief of the State.
- VI. You shall cause such areas as may be defined by the British Government for that purpose to be set aside for the growth of trees to supply building timber and firewood to the inhabitants of the State. You shall take efficient measures to secure these areas against destruction by fire and by jhuming.
- *VII. You do hereby accord your assent your agreement to sit together with the Deputy Commissioner for the trial of suits for divorce and other matrimonial cases arising between Native Christians, who have been married in accordance with provisions of the Indian Christian Act, XV of 1872.
- VIII. If you violate any of the conditions of the Sanad, or in the case of your using any oppression, of your acting in a manner opposed to established custom, or in the event of your people having just cause for dissatisfaction with you, you shall be liable to suffer such punishment as the Chief Commissioner of Assam, subject to the orders of the Government of India may think proper to inflict.

* This clause is retained, modified, or excluded in each case in accordance with the Agreement made with the Seim on the subject.

IX. According to the conditions above enjoined, you are hereby confirmed Seim of the State of in the Khasi Hills. In virtue whereof this Sanad is granted to you under my hand seal this day of 19

Chief Commissioner of Assam.

II. GENERAL FORM OF SANAD PRESCRIBED BY THE GOVERNMENT OF INDIA IN 1907.

You, having been elected Siem of the State of in the district of the Khasi and Jaintia Hills, this Sanad ratifying your election and appointing you Siem, is conferred upon you on the following conditions:

- I. You shall be subject to the orders and control of the Deputy Commissioner of the District of the Khasi and Jaintia Hills, who will decide any dispute that may arise between yourself and the Chief of any other Khasi State. You shall obey implicitly any lawful orders which the Deputy Commissioner, or other officer authorised on that behalf by the Local Government may issue to you.
- II. You are hereby empowered and required to adjudicate and decide all civil cases and all criminal offences, except those punishable under the Indian Penal Code with death, transportation, or imprisonment for five years and upwards which may arise within the limits of the State, in which your subjects alone are concerned. In regard to the offences above excepted, you shall submit an immediate report to the Deputy Commissioner of the Khasi and Jaintia Hills, and faithfully carry out the orders he may give concerning their disposal. And you shall refer all civil and criminal cases arising within the limits of your State, in which persons other than your own Khasi subjects may be concerned, for adjudication by the Deputy Commissioner of the Khasi and Jaintia Hills or by any other officer appointed by him for that purpose.
- III. The Local Government shall be at liberty to establish civil and military sanitarium, cantonments and posts in any part of the country under your control, and to occupy the lands necessary for that purpose, rent-free.

If Government wishes at any time to construct a railway through your territory, you shall provide the land required for the purpose without compensation save for occupied land, and shall render to the Local Government in this behalf all assistance in your power.

- IV. You hereby confirm the cession to the British Government by your predecessors of all the lime, coal and other mines, metals and minerals found in the soil of your State, and of the right to hunt and capture elephants within your State, on condition that you shall receive half the profits arising from the sale, lease or other disposal of such lime, coal, or other minerals, of such right. On the same condition, you confirm the cession to the British Government of all waste lands, being lands at the time of cession unoccupied by villages, cultivation, plantations, orchards, etc., which the British Government may wish to sell or lease as waste lands.
- V. You shall not alienate or mortgage to any person any property of the State, moveable or immovable, which you possess or of which you may become possessed, as Chief of the State.
- VI. You shall cause such areas as may be defined by the Local Government for that purpose to be set aside for the growth of trees to supply building timber and firewood to the inhabitants of the State. You shall take efficient measures to secure these areas against destruction by fire and by *jhuming*.
- *VII. You do hereby confirm the agreement given by your predecessor, regarding the trial by the Deputy Commissioner alone of suits for divorce and other matrimonial cases arising between Native Christians, who have been married in accordance with provisions of the Indian Christian Marriage Act, XV of 1872.
- VIII. If you violate any of the conditions of this Sanad, or in the case of your using any oppression, or of your acting in a manner opposed to established custom, or in the

* This clause is retained, modified or excluded in each case, in accordance with the agreement made with the Siem on the subject.

event of your people, having just cause for dissatisfaction with you, you shall be liable to suffer such punishment as the Local Government, subject to the control of the Government, subject to the control of the Government of India, may think proper to inflict.

IX. According to the conditions above enjoined, you are hereby confirmed Siem of the State of in the Khasi Hills. In virtue whereof this Sanad is granted to you under my hand and seal this day of 19

III. GENERAL FORM OF SANAD PRESCRIBED BY THE GOVERNMENT OF INDIA IN 1909.

You having been elected Siem of the State of in the district of the Khasi and Jaintia Hills, this Sanad ratifying your election and appointing you Siem, is conferred upon you on the following conditions:

- I. You shall be subject to the orders and control of the Deputy Commissioner of the district of the Khasi and Jaintia Hills, who will decide any dispute that may arise between yourself and the Chief of any other Khasi State. You shall obey implicitly any lawful orders which the Deputy Commissioner, or other officer authorised on that behalf by the Local Government, may issue to you.
- II. You are hereby empowered and required to adjudicate and decide all civil cases and all criminal offences, except those punishable under the Indian Penal Code with death, transportation, or imprisonment for five years and upwards which may arise within the limits of the State, in which your subjects alone are concerned. In regard to the offences above excepted, you shall submit an immediate report to the Deputy Commissioner of the Khasi and Jaintia Hills, and faithfully carry out the orders he may give concerning their disposal. And you shall refer all civil and criminal cases arising within the limits of your State, in which persons other than your own Khasi subjects may be concerned, for adjudication by the Deputy Commissioner of the Khasi and Jaintia Hills, or by any other officer appointed by him for that purpose.
- III. The Local Government shall be at liberty to establish civil and military sanitaría, cantonments and posts in any part of the country under your control, and to occupy the lands necessary for that purpose, rent-free.

If Government wishes at any time to construct a railway through your territory you shall provide the land required for the purpose without compensation save for occupied land, and shall render to the Local Government in this behalf all assistance in your power.

- IV. You hereby confirm the cession to the British Government by your predecessors of all the lime, coal and other mines, metals and mineral found in the soil of your State, and of the right to hunt and capture elephants within your State, on condition that you shall receive half the profits arising from the sale, lease or other disposal of such lime, coal, or other minerals, or of such right. On the same condition, you confirm the cession to the British Government of all waste lands, being lands at the time of cession unoccupied by villages, cultivation, plantations, orchards, etc., which the British Government may wish to sell or lease as waste-lands.
- V. You shall not alienate or mortgage to any person any property of the State, moveable or immovable, which you possess or of which you may become possessed, as Chief of the State.
- VI. You shall not without the sanction of Government lease or transfer or allow to be leased or transferred to persons, other than your own Khasi subjects, any land or lands in your jurisdiction.
- VII. You shall cause such areas as may be defined by the Local Government for that purpose to be set aside for the growth of trees to supply building timber and firewood to the inhabitants of the State. You shall take efficient measures to secure these areas against destruction by fire and by *jhuming*.
- *VIII. You do hereby confirm the agreement given by your predecessors regarding the trial by the Deputy Commissioner alone of suits for divorce and other matrimonial cases arising between Native Christians, who have been married in accordance with provisions of the Indian Christian Marriage Act, XV of 1872.

* This clause is retained, modified or excluded in each case, in accordance with the agreement made with the Siem on the subject.

IX. If you violate any of the conditions of this Sanad, or in the case of your using any oppression, or of your acting in a manner opposed to established custom, or in the event of your people, having just cause for dissatisfaction with you, you shall be liable to suffer such punishment as the Local Government, subject to the control of the Government of India, may think proper to inflict.

X. According to the conditions above enjoined, you are hereby confirmed Siem of the State of in the Khasi Hills. In virtue whereof this Sanad is granted to you under my hand seal this day of 19

APPENDIX 'D'

1. The Federation of Khasi Native States is formed for the purpose of uniting together under one Central Government, all the native States of the Khasi Hills.
2. The Federation of Khasi Native States (here-in-after called the Federation) should consist of all Syiemships, Lyngdohships, Sirdarships, Wahadadarships which form the native States of the Khasi Hills.
3. There shall be one Central Darbar of the Federation, called the Khasi National Durbar here-in-after called Durbar, which shall be constituted as follows:
 - “(a) Each Chief of a State shall be ex-officio Member.
 - (b) Each State which has a population of 5000 or less shall get two representatives.
 - (c) Each State which has a population of over 5000 to 15000 shall get three representatives.
 - (d) Each State which has a population of over 15,000 to 50,000 shall get four representatives.
 - (e) Five members to be nominated by the Durbar from the subjects of the Khasi States.”
4. Five of the Members of the Durbar shall form an executive Council and these shall be elected by the Durbar.
5. There shall be a President and Deputy President of the Durbar to be elected by the Durbar.
6. The President shall be elected from among the ruling Chiefs.
7. All the members of the Durbar shall hold office for three years.
8. All matters shall be decided by the majority of votes.
9. Twelve of the Members of the Durbar shall form a quorum.
10. Those members only may vote who are present in person.
11. The President shall have a casting vote.
12. Twelve days notice shall be given of all meetings ordinary and special.
13. The Durbar shall have powers:
 - (a) to make laws which shall be subject to the assent of the Government of Assam.

(b) to levy taxes for the improvement of the States.

(c) to frame rules for the conduct of its own meetings and the meetings of the Executive Council.

14. There shall be paid Secretary to be appointed by the Executive Council and approved by the Durbar.
15. There shall be a Supreme Court of Appeal for appeals from State Durbar.
16. Each State should have a regular Durbar constituted regularly and in accordance with the old customs.
17. This Constitution may be amended from time to time as necessity occurs and any alteration or amendment should be made only at the Durbar by a majority of two-thirds of the members present.

APPENDIX 'E'

Preamble

With a view to achieving better and higher standard of administration in the Khasi States, collectively and individually, the Khasi rulers and their Durbars as constitutional representatives of the people, hereby agree to join together in a Union to be called 'The Federation of Khasi States'. The Federation shall have powers to make laws relating to and to administer matters of common concern to be called '*Federal Subjects*' which the component States surrender to it. The component State shall in return receive certain protection and services from the Federal Government as shall be agreed from time to time. The Federal Government shall have an executive, a legislature and a federal court. All subjects other than the federal subjects and all residuary powers shall vest in the component States.

Definition

"*Federal Legislature*" means a law making body, constituted from representatives of the States composing the Federation.

"*Federal Subjects*" means matter of common concern which the component States surrender to the Federal Government.

"*Federal Executive*" means an authority having executive powers to administer the affairs of the Federation.

"*Federal Court*" means a court with powers supreme to all courts of the component States, for administering laws and justice and competent to decide constitutional issues.

Government

The Federal Government will deal with the following subjects:

1. External affairs
2. Law and Order
3. Public Works and Communications

4. Public Health
5. Education
6. Federal finances
7. Economic Development — Agriculture, Industry, and such other subjects as may be surrendered from time to time by the component states”.

Legislature

2. The Federal legislature shall be called “*The Durbar of Khasi States*”. Its members should be:
 - (a) Heads of component States.
 - (b) Representatives elected by adult male suffrage in the component States, proportional to their population the rates of 1 to 2000, provided that no State is entitled to send more than 10 representatives.
3. The Durbar of Khasi State presided over by a president who shall be elected from amongst the State rulers once every five years by a majority of the members present. Besides, the President, there shall be a Vice-President, similarly elected.
4. The life of the Legislature shall be for five years. Its sitting shall be at least once a year. The quorum shall be one-third of the total number of members.
5. The function of the Durbar of Khasi States shall be to make laws and regulations governing all federal subjects, pass the federal budget and find out ways and means for different administration of the federal Government. The Durbar shall have powers to revise or amend the Constitution by a majority of not more than two-third of votes cast.
6. The president shall have powers to give assent to Bills passed by the Legislature before they became laws.
7. The President shall have powers of clemency.

Executive

8. The Federal Executive shall be a Council of the Chief Minister nominated by the Durbar of Khasi States and confirmed by the President and of not less than four and

not more than eight other Ministers selected by the Chief Minister from amongst the members of the Durbar and confirmed by the President. All members of the Federal Executive shall be sworn as members of the Council and take an oath of allegiance to the Federation of Khasi States before they take office.

9. The Federal Executive shall run the administration of Khasi States through a Secretariat and shall be responsible to the Durbar of Khasi States or the Federal Legislature. They shall hold office during the Durbars' pleasure.
10. The salaries of Ministers shall be such as the Federal Legislature may from time to time, by Act determined and, until the Federal legislature so determine shall be determined by the President.

Federal Court

11. The Federal Court shall consist of a Chief Judge and one or more other judges to be nominated by the Executive council and confirmed by the President. It shall hear all civil and criminal appeals coming from the courts of the Component States.
 - “(a) for cases not liable by courts of the Component States.
 - (b) for cases of inter-state dispute and
 - (c) for cases in which the parties come from or in which the subject matter of dispute falls in more than one state. Its decision shall be final and binding on all component States.”
12. The Federal Court shall decide all constitutional questions which may arise within the Federation.
13. The condition service of a Judges or Magistrates shall be decided by the Federal Legislature.

Law and Order

14. The administration of law and order shall consist of armed guards to be called “*Federal Police*”. The Federal police shall be stationed at the Headquarters at the Federal Government and shall be utilised for maintaining law

and order in any place or places according to the direction of the Federal Executive.

15. There shall be a secretariat of the Federal Government which shall run all departments dealing with Federal subjects. Its secretary or secretaries shall be appointed by the Federal Executive.

Finance

16. Federal Finance shall ordinarily consist of a constitution which all component states shall contribute so much of their income or shall be determined by the Durbar of Khasi States from time to time for the maintenance of the Federal Government.

Relations

17. The relations of the Federation of Khasi States with other Governments shall be by negotiations.

APPENDIX 'F'

1. The Durbar of the Federation of the Khasi States which included all the Khasi States as members; agree that with effect from the 15th August 1957 all existing administrative arrangements between the Province of Assam and the Indian Union and the Khasi States shall, with the exception to be noted below, continue in force for a period of two years or until new or modified arrangements have been arrived at between the respective authorities concerned.
2. The exceptions referred to above will be as follows:

Judicial Powers

- (a) The Federation of Khasi States will set up a competent court of the Federation to exercise the judicial function now vested in the Political Officer.
- (b) In matters of customary laws there will be no appeal from the court of the Federation. In other cases as the present an appeal will be to the Governor until a High Court of Assam is established when such appeals will be to the Assam High Court, the judicial authority now exercised by Khasi States Court in respect of Khasi will be maintained.
- (c) In regard to non-Khasis for the present judicial arrangements now existing will continue except that the Judicial powers of the P.O. will be vested in the Court of the Federation when its competence is recognised. Where non-Khasis have voluntarily agreed to submit to the jurisdiction of the State Court, that Court will continue to be the original trying Court.
- (d) Where States court comply with certain conditions to be laid down they may be vested with First, Second or Third class Powers as defined in the Cr.P.C. and then jurisdiction will then include non-Khasis. The appointment of Magistrates to the States' Court and to the Court of the Federation will be subjected to the concurrence of the Governor in regard to the judicial competence. The Chief

Justice of the Assam High Court, when established will assume this power now vested in the Governor.

Administrative Power

The Federation of Khasi States together with British India-Khasi Territory should form an autonomous unit where relationships with the Province of Assam would be determined by Agreements.

With the exceptions of the following three subjects all the remaining administrative functions would be common with the Central or Provincial Governments under the terms of the Standstill Agreement outlined in Paragraph I above.

Exception

1. Excise — Subject to the Agreement with the Provincial Government regarding the fixing of duty, etc.
 2. Forests — The Chief Conservator of Forests would act in advisory capacity to the Federation in regard to the management and control of forests.
 3. Land and water rights and revenue derived there from.
3. *Revenue*: The member States of the Federation of Khasi States have agreed that the balance of Khasi States' Deposit account should be made over to the Federation until fresh arrangements have been reached in regard to the contribution to be paid to the Federation by the individual States.
4. *British India-Khasi Territory*: The Federation requests that all possible help should be given to facilitate the unification of all territory. All Khasi villages which decide to rejoin the State of which they formerly formed a part should be allowed to do so. Other parts of British India-Khasi Territory should, if they desired, be allowed to join the Federation as units.
5. *Legislature*: In matters of legislation concerning subject of common interest passed by the Assam Government, there should be some machinery either by representation in the Assam Assembly or otherwise set up whereby the legislation,

where necessary can be adopted or modified to suit the conditions and circumstances existing in the Khasi Hills.

APPENDIX 'G'

Instrument of Accession of the Khasi Hill States mentioned in the Statement attached.

We the rulers of the Khasi States specified below: Having agreed to the establishment of a Federation of which all the said Khasi States are members;

And being desirous of acceding to the Dominion of India, individually as Rulers of the said Khasi States and collectively as members of the said Federation;

Do hereby declare that we accede to the Dominion of India with the intent that the Governor General of India, the Dominion Legislature, the Federal Court and any other Dominion authority shall, by virtue of this our Instrument of Accession, but subject always to the term thereof, and for the purposes only of the Dominion, exercise in relation to the said Khasi States such functions as may be vested in them by or under the Government of India Act, 1935, as for the time being in force in the Dominion of India (which Act as so in force is here-in-after referred to as "the Act").

2. We hereby assume the obligation of ensuring that due effect is given to the provisions of the Act with in the said Khasi States so far as they are applicable therein by virtue of this our Instrument of Accession.
3. Subjects to the provisions of the annexed Agreement (which shall be regarded as part of this our Instrument of Accession) we accept that the Dominion Legislature may make laws for the said Khasi States in respect of any matter.

(Signed by the Siems of the
Khasi Hills States on the
dates shown in the state-
ment attached)

I do hereby accept this Instrument of Accession.

Dated this seventeenth day of August, Nineteen hundred and forty eight.

C. RAJAGOPALACHARYA
Governor General of India

APPENDIX 'H'

No. Name of the States	Date of Execution of the Instrument of Accession	Date of acceptance by the Governor General
1. Khyrim State	15.12.1947	17.8.1948
2. Mylliem State	Do	Do
3. Cherra State	Do	Do
4. Nongstoin State	19.3.1948	Do
5. Rembrai State	17.3.1948	Do
6. Myriaw State	...	Do
7. Nobo Sohphoh State	11.1.1948	Do
8. Nongspung State	...	Do
9. Nongkhlaw State	15.12.1947	Do
10. Bhowal State	Do	Do
11. Jirang State	Do	Do
12. Maharam State	Do	Do
13. Mawsynram State	Do	Do
14. Langrin State	Do	Do
15. Mawrang State	Do	Do
16. Malai Sohmat State	Do	Do
17. Mawphlang State	Do	Do
18. Sohiong State	Do	Do
19. Lyngiong State	Do	Do
20. Shella Confederacy	Do	Do
21. Mawlong State	10.3.1948	Do
22. Nonglwai State	15.12.1947	Do
23. Pamsanngut State	15.12.1947	Do
24. Mawdon State	Do	Do
25. Dwara Nongtyrnem	Do	Do

APPENDIX 'I'

TRIBAL AREAS

1. The Areas specified in parts A and B of the table below shall be the tribal areas within the State of Assam.
2. The United Khasi Jaintia Hills District shall comprise the territories which before the commencement of this Constitution were known as the Khasi States and the Khasi Jaintia Hills District excluding any areas for the time being comprised within the Cantonment and Municipality of Shillong but including so much of the area comprised within the Municipality of Shillong as formed part of the Khasi State of Myllem.

“Provided for the purposes of clauses (e) and (f) of sub-paragraph (1) of paragraph 3, paragraph 4, paragraph 5, paragraph 6, of sub-paragraph (2), clauses (a), (b) and (c) of sub-graph (3) and sub-paragraph (4) of paragraph 8, and clause (d) of sub-paragraph (2) of paragraph 10 of this schedule, no part of the area comprised within the Municipality of Shillong shall be deemed to be within the District.”

3. Any reference in the table below to any district (other than the United Khasi Jaintia Hills District) or administrative area shall be construed as a reference to that district or area at the commencement of this Constitution.

“Provided that the tribal areas specified in part B of the table below shall not include any areas in the Plains as may, with the previous approval of the President, be notified by the Governor of Assam in that behalf.”

Table

Part A	Part B
1. The United Khasi Jaintia Hills District	1. North Eastern Frontier Tract including Balipara Frontier
2. The Garo Hills District	Tract, Tirap Frontier
3. The Lushai Hills District	

- | | |
|------------------------------------|-------------------------------|
| 4. The Naga Hills District | Tract, Abor Hills Dis- |
| 5. The North Cachar Hills District | trict & Mishmi Hills District |
| 6. The Mikir Hills District | 2. The Naga Tribal Areas |

GLOSSARY

1. Ai Khaw Kylliang: To marry the daughter of his father's sister
2. Ban Kamai ia ka hok: To earn righteousness
3. Bakha: Children of one's maternal uncles and children of one's father's sisters
4. Ba la phah da u Blei: Sent by god
5. Bakhrav: Councillors, members of the chief-in Council
6. Basan: A title given to a certain class of councillors
7. (Ka) Krem Lamet Ka Krem Latang: Name of a cave
8. Khiew Ranei: Clay pots from Larnai Jaintia Hills
9. Kur: Clan
10. (U) Khun Lymboit u Khun Lymbiang: One who does not have enough dress to befit himself to attend any important function or occasion, a featherless creature, referred to the cock
11. (U) Khun ki brieve: Son of other people, the man who goes to stay with his wife
12. (Ki) Khun ki Hajar: Khasi citizens of a Khasi State
13. Kongor: Husband of the female Syiem
14. Kynih ka iar kynthei: Crowing of the hen, when the woman takes a more active part than the man
15. Khang Shnong: Proclamation to prohibit people not to go to their work
16. Klong: Gourd
17. U Khunkha: Children from the Paternal uncle's and brother's side

18. Khyndai: It refers to the Khasis living in the uplands of Khasi Hills
19. Khyndai Bah Ryntieh: Nine holding the bow, referred to the Khasi warriors of the five villages
20. (Ki) Khun Blei: Children of God, the Children of ka Pah Syntiew and Ka Li Dohkha
21. (Ka) Duwan Dupat: Place of Sacrifice
22. Dorbar Hima: State Dorbar
23. Dorbar Kur: Clan Dorbar
24. Doloi: Head of an Elaka in the Jaintia Hills
25. Duh Jaid: Extinct
26. Ngam Ksih: Water ordeal
27. Hynniew Trep: Seven Huts, believed to be the progenitors of Khasi race
28. Hok: Righteousness
29. Hima: State
30. lawbei Tynrai: Root Ancestress
31. lawbei Tymmen: Old Ancestress
32. lawbei Khynraw: Young Ancestress
33. Ingliet Ingsaw: White House, Red House (Court)
34. Ing: House or family
35. Iarong: A bag of pan, betelnut, lime and tobacco
36. Iapduh: One who has no female relative, Extinct
37. Ing Sad: State Building
38. Juban lak: An oath
39. Jaid: Sub-clan
40. Lyngdoh: A title given to the head of the state, a priest
41. Lyngskor: A title of the dignitary second in command to the Syiem
42. 'Lei Synshar: A deity for the administration of the land
43. 'Law Shnong: Village Forests
44. Mei: Mother
45. Meikha: Mother of the Father
46. Meikha Pakha: Paternal kith and kin
47. Mawbah: Big Stone, Cromlech
48. Mraw: Slave
49. Mahadei: Wife of the male Syiem
50. Mei'iem: Mother Syiem i.e. the Syiem Sad (see Syiem Sad)
51. Myntri: Ministers of the State

61. **Ka Niam Tip Briew:** A religion which knows man knows God
62. **Ka Nar ka Bili:** Fetters, the Syiem is supposed to take charge of all fetters of evil things
63. **Ka Niam Im Niam Iap:** Religion for the living and Religion for the Dead
64. **Nang Phlang:** As Khyrniam
65. **Ka Pap ka Sang:** Sin
66. **Phar:** The Khasi People living in the table land of Jaintia Hills
67. **Pyta Shnong:** Village Announcement
68. **Rand:** Division of a State, a Congregation of Villages
69. **Rand Umsnam:** A conquered territory
70. **Rat:** Tradition
71. **Ka Shongkha Shongman:** Marriage
72. **Ka Sang ka Byrsieh, Ka Sang Ka ma:** Taboo or sacrilege or unpardonable sin
73. **Ka Shong Sang Synri:** An unpardonable sin to marry one's sister-in-law or mother-in-law
74. **Sanad:** Appointment letters
75. **Saphla:** Witness
76. **Ka Sang Sohpetkha:** A sin to marry the children of one's father's brothers
77. **Ka Sang Syngken kha:** A sin to marry father's sisters or their grandchildren
78. **U Sohpet Bneng:** The name of a peak, navel of heaven.
79. **Ka Shwar:** Goddess of wealth of the wars
80. **Saikhum Saiteh:** To be in Chains, under arrest
81. **Sohblei:** Religious Priest
82. **Shad Nongkrem:** An annual religious festival at Smit
83. **Syiem Khyannah:** Heir apparent, Deputy Syiem
84. **Syiem Sad:** The custodian of the State building and religious ceremony, who is the Syiem's mother or his eldest sister
85. **Symphiah:** Fly flap used in the dancing arena by the male dancers
86. **(Ki) Syiem Ki Blei:** The Syiem, the God
87. **(U) Syiem U Kmie:** The Syiem, the mother
88. **(U) Syiem U Mraw:** The Syiem, the slave
89. **(Ka) Syiem Kynthei:** The female Syiem

18. Khyrniam: It refers to the Khasis living in the uplands of Khasi Hills
19. Khyndai Bah Ryntieh: Nine holding the bow, referred to the Khasi warriors of the five villages
20. (Ki) Khun Blei: Children of God, the Children of ka Pah Syntiew and Ka Li Dohkha
21. (Ka) Duwan Dupat: Place of Sacrifice
22. Dorbar Hima: State Dorbar
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47. Mawbah: Big Stone, Cromlech
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49. Mahadei: Wife of the male Syiem
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52. (Ka) Niam Tip Briew: A religion which knows man knows God
53. (Ka) Nar ka Bili: Fetters, the Syiem is supposed to take charge of all fetters of evil things
54. (Ka) Niam Im Niam Iap: Religion for the living and Religion for the Dead
55. Nong Phlang: As Khynriam
56. (Ka) Pap ka Sang: Sin
57. Pnar: The Khasi People living in the table land of Jaintia Hills
58. Pyrta Shnong: Village Announcement
59. Raid: Division of a State, a Congregation of Villages
60. Raid Umsnam: A conquered territory
61. Riti: Tradition
62. (Ka) Shongkha Shongman: Marriage
63. (Ka) Sang ka Byrsieh, Ka Sang Ka ma: Taboo or sacrilege or unpardonable sin
64. (Ka) Shong Sang Synri: An unpardonable sin to marry one's sister-in-law or mother-in-law
65. Sanad: Appointment letters
66. Saiphla: Witness
67. (Ka) Sang Sohpetkha: A sin to marry the children of one's father's brothers
68. (Ka) Sang Syngken kha: A sin to marry father's sisters or their grandchildren
69. U Sohpet Bneng: The name of a peak, navel of heaven.
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72. Sohblei: Religious Priest
73. Shad Nongkrem: An annual religious festival at Smit
74. Syiem Khynnah: Heir apparent, Deputy Syiem
75. Syiem Sad: The custodian of the State building and religious ceremony, who is the Syiem's mother or his eldest sister
76. Symphiah: Fly flap used in the dancing arena by the male dancers
77. (Ki) Syiem Ki Blei: The Syiem, the God
78. (U) Syiem U Kmie: The Syiem, the mother
79. (U) Syiem U Mraw: The Syiem, the slave
80. (Ka) Syiem Kynthei: The female Syiem

81. (U) Syiem bad Ka Dorbar: The Syiem and the Dorbar
82. Sangot: Village Crier
83. (U) Saiphla: Eye witness
84. U Saikhum Saiteh: To be arrested
85. Synteng: See Pnar
86. Shnong: Village
87. Shnat: Colony of the Commune
88. (Ki) Tymmen ki San: Elders of the locality
89. Tymmen Shnong: Headman
90. (Ka) Taro: Goddess of wealth of the Synteng or Pnar
91. U Tangon U Lymban: Type of punishment given by the ruler and his Durbar
92. (U) Thlen: A creature in the form of a snake which is believed to give wealth to a man
93. Trep: Hut
94. Wahadadar: A title given to the Chief of Shella
95. War: The Khasis living in the Southern slopes of Khasi Hills

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