

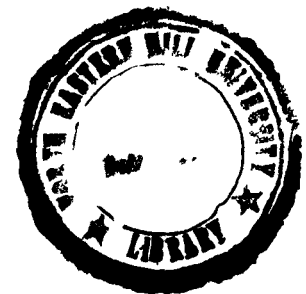
ADMINISTRATIVE DEVELOPMENT IN LUSHAI (MIZO) HILLS UPTO 1972

ABSTRACT

By

R. R. T. SANGA

DEPARTMENT OF POLITICAL SCIENCE



A THESIS
SUBMITTED
IN

FULFILMENT OF THE REQUIREMENT FOR THE DEGREE OF
DOCTOR OF PHILOSOPHY

To



THE NORTH-EASTERN HILL UNIVERSITY

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ABSTRACT

The present study investigates the structural changes in the administration or changes in the administrative structure from the village traditional administration to union territory administration; the nature, character and role of administration and also the relationship between politics and administration in the Lushai (Mizo) Hills during the period under study.

This study is divided into six main Chapters. The first Chapter deals with the socio-economic, cultural and political profile of the Lushai Hills.

The second Chapter is concentrated on the Chiefs and their administration of the villages in the pre-British period. This Chapter discusses how the institution of chieftainship originated out of the collective needs of group life. In the event of the Chief's death or incapacity to carry on administration of his village, his youngest son would succeed him. Thus, the chieftainship is a hereditary institution.

The Chief was the sole centre of authority in the village. He administered the village along with his council

of elders appointed by the Chief himself. While administering his village, the Chief was guided by custom. Besides, the Chief was also assisted by village officials namely, the Ramhual (advisers to the Chief with regard to jhum cultivation); the Tlangau (Village Crier); the Puithiam (Priest) and the Zalen (richmen who helped the Chief in time of scarcity of food, etc). Each of them helped the Chief in his administration of the village.

As a head of the village, the Chief enjoyed the following privileges - Fathang (Paddy tax); Sachhiah (Meat tax); Chichhiah (Salt tax); Khuaichhiah (Honey tax) and Salam (Fine). The Chief had also the right to order capital punishment; to seize food stores and property of the villagers who wished to transfer the allegiance to other Chief; proprietary right over lands; to tax traders doing business in his jurisdiction; right to freedom of action in relation to making his son Chief within his land; right to attach the property of his villagers when he wished and right to help bawi who were, by custom not open to redemption.

The Chief had also three types of Bawi (Bawi almost equivalent to slave) - Inpuichhung Bawi (those who were driven out by want of food and shelter took refuge in the Chief's house); Chemsen Bawi (criminals who took refuge in the Chief's house and became the property of the Chief)

and Tuklut Bawi (person who, during war deserted the losing side and joined the victorious Chief by promising that he and his descendants would be Bawi). In addition to these Bawi, the Chief had also a number of Sal or captives who were captured in war and raids.

Lastly, this chapter discusses the relationship between the Chief and the people. This relationship was mainly depended upon the character of the Chief's administration and its role in contributing to the well-being of the people. The study shows that the village administration under the Chiefs before the advent of the British was generally benevolent in character. However, during the British period, the character of the village administration had undergone a change.

The third Chapter discusses how the British authority consolidated its administration in the Lushai (Mizo) Hills; its administrative pattern and the subsequent impact on the traditional administration. When the British annexed the Lushai Hills in 1891, they found each village as a separate ministate ruled over by its own chief. Being shrewed imperialist, the British felt the necessity of retaining the chieftainship for the maintenance of the internal administration of Lushai (Mizo) Hills. In fact, the Chiefs constituted the foundation on which the edifice

of the British rule was erected. Again the British thought it expedient for the sake of their own administration of the Lushai (Mizo) Hills to invest the Chief with real power and allow him to run the administration of his village as large a measure of autonomy as practicable. The British policy of non-interference in the village customs as also in the decisions taken by the Chief paid a rich dividend in the shape of smooth administration without much expenditure in the difficult terrain of Lushai (Mizo) Hills. The British used the Chief's traditional authority over the people to legitimise their rule. In fact, the Chiefs were made the representatives of the British authority in their own land. The Chiefs became more powerful under the British rule, but in practice they were subordinated to the British authority even in customary matters.

By recognising the administrative functions performed by the Chiefs, the British authority allowed the Chiefs to continue to exercise and enjoy a number of rights and privileges. But most of the rights mentioned earlier had been suspended. This was done in order to meet the exigencies of the situation. Though the British curtailed some arbitrary powers of the Chief, certain privileges of the Chiefs like a paddy tax, meat tax; fine and building of Chief's house free of labour charge were retained.

The British rule also greatly weakened the position of the Chief by abolishing the Bawi system. Again, the Superintendent, as an agent of the British Government had laid down the duties of the Chief. Accordingly, the Chief should see that no anti-British activities to be carried on by the village people. He would also dispose of all criminal cases except those in which a person was killed. The Chief should also keep a good record of all births and deaths in his village; movement of people in the village and also changes in the licensed guns.

The British made a change in the mode of succession of chieftainship. Instead of the youngest son, the eldest son succeeded chieftainship but the property of the Chief would go to the youngest son.

The study shows that the British did not make much changes in the administration of the village by the Chief since it followed a policy of non-interference. In short, the only difference was that the traditional administration of the village was like a form of democracy tempered by disposition while the British made use of the services of the Chief to legitimise its rule.

This chapter also discusses the growth of political consciousness among the people which led to the formation

of the first political party, that is, Mizo Union in the Lushai Hills. The Mizo Union, from its very inception, was opposed to the Chiefs who were enjoying the patronage of the British authority. The Mizo Union stood for the abolition of chieftainship. It also demanded the widest autonomy for the Mizo Hills within the Indian Union. At the same time, the Mizo United Freedom Organization, founded on July 4, 1947, put forward its objective of the Lushai Hills joining Burma. This political party also supported the Chiefs as its President, Lalmawia, was the son-in-law of one of the Chiefs.

In the fourth Chapter we have examined that before and after the India's independence, the emerging educated section of the society demanded adequate provisions for the protection of their political, social and economic rights. There were also people who thought in terms of an independent Mizo territory. Some organizations wanted the unification of the entire Mizo inhabited areas in India and Burma under a political system. All these demands, in fact, emerged out of the desire for preserving and protecting the Mizo identity. Again, such political consciousness is of a relatively origin with the foundation laid by the Christian educated missionaries who educated the Lushais.

Meanwhile the Constituent Assembly of India deliberated over the problems of the hill districts of Assam which resulted in the setting up of Bardoloi Sub-Committee to assess the opinion of the people over the constitutional status of their areas in India. Thus on the recommendation of the Bardoloi Sub-Committee, the Constitution of India provided for a Sixth Schedule under which a District Council for each hill district of Assam was created. In the Lushai Hills, the District Council was inaugurated on April 25, 1952. The Pawi-Lakher Regional Council was also inaugurated the following year, that is, April 23, 1953. In the first election to the Lushai Hills District Council held in 1952, the Mizo Union won the majority of the seats.

Even after the formation of the District Council in the Lushai Hills, the conflict between the Chiefs and the Mizo Union, which won majority of seats in the District Council election on the issue of abolition of chieftainship still continued. The Mizo Union strongly demanded the abolition of chieftainship which was the political issue of the day. On the other hand, the Chiefs were not reconciled to the possible abolition of this traditional institution. However, in 1954 the Assam Government passed a legislation for the abolition of the institution of chieftainship under the Assam Lushai Hills District (Acquisition of Chief's Rights) Act of 1954. This Act came into

force from April 1, 1954 in the area under the jurisdiction of the Mizo District Council and from April 15, 1956 in the Pawi-Lakher Region. Thus, the institution of chieftainship came to an end. In its place, a modern democratic form of institution known as village council has been adopted. The village council is now the only body which is entrusted with the village level administration.

The District Council started functioning with 24 members, 18 elected and the rest nominated. The District Council is provided with a cabinet system of government. The Executive Committee was headed by Chief Executive Member and two executive members appointed by the Governor on the recommendation of the Chief Executive Member.

In this chapter, the focus is also on the powers and functions of the District Council. The District Council took over allotment of land for house-sites, forests, regulation of jhuming, control and allotment of land for other agricultural purposes, establishment of village councils, inheritance of property, marriage and social custom, money lending and trading by non-tribals, fisheries, ferries, management and control of markets and assessment and collection of land revenue. It was also empowered to collect taxes on land and building, trades, etc. Thus, the District Council in the Lushai Hills started function-

ing as the major executing agency for most of the development works in regard to development of rural water supply, rural communications and other local development and self-help schemes.

The District Council is a modern political institution where the hereditary Chiefs have no place. The District Council administration brought about a significant change in the character of administration. The main difference lies in the fact that the District Council administered the village and the Hills as a whole through a democratic political institution in accordance with the provisions of the Sixth Schedule, while the traditional administration of the village was run by hereditary Chiefs. During this period, the institution of the Deputy Commissioner continued to exercise a lot of powers. He was the head of all departments in the district. In judicial matters, he could deal with all cases - civil and criminal.

Though the creation of District Council was an important landmark in the history of administrative developments in the Mizo Hills, it failed to satisfy the aspirations of the Mizos. As a result, political parties began to conceive the idea that all the areas inhabited by the Mizos contiguous to the Mizo Hills should be under a common administrative set up. In fact, they all desired statehood for Mizo Hills within the Indian Union.

The fifth Chapter investigates the factors that led to the formation of Mizo Hills District into a Union Territory. The people of the Lushai Hills were not satisfied with the working of the District Council which could not bring about development in the district due to lack of adequate financial assistance from the Assam Government. Again, at the time of famine called Mautam, the Assam Government was not prompt in taking relief measures which caused serious discontent among the people ultimately resulting in the outbreak of Mizo insurgency in 1966. Thus, the Government of India also realized that the District Council was not a sufficient instrument to take care of the Mizo political unrest. As a result, the Union Territory of Mizoram came into existence on January 21, 1972.

Thus, a new era of administration was inaugurated in Mizoram. The Mizo District Council was replaced by a Legislative Assembly consisting of thirty three members including the nominated members. The first general election to the Mizoram Legislative Assembly was held in April 1972. The Mizo Union formed the first government under the leadership of Ch. Chhunga on May 3, 1972.

The Mizoram Legislative Assembly was constituted on April 29, 1972, and on this date the Mizo District

Council stood dissolved. Mizoram was then divided into Aizawl, Lunglei and Chhimituipui districts for convenience of administration and to facilitate implementation of developmental programmes. Again, the Pawi-Lakher Regional Council which existed prior to 1972 was split into Pawi, Lakher and Chakma autonomous regional councils which later became autonomous district councils with headquarters at Lawngtlai, Saiha and Vaseitlang respectively.

Finally, in Chapter VI, the findings of the study are very clear. In fine, we found that - (a) in the past the traditional administration of the village was run by the Chiefs, (b) there was a tremendous impact of the British administration on the Chiefs and their powers, (c) a slight difference between the British administration and traditional administration existed since the British followed the policy of non-interference in the traditional administration of the village by the chiefs, (d) there were a number of factors responsible for the formation of the British Council in Lushai (Mizo) Hills, (e) the character of the District Council administration and the Assam State administration differed from one another, and (f) there was some kind of improvement under the Lushai (Mizo) Hills District Council administration than before, when the area under study was under the then composite

State of Assam. There was further development in the area after the creation of a Union Territory of Mizoram.

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R. R. T. SANGA

DEPARTMENT OF POLITICAL SCIENCE

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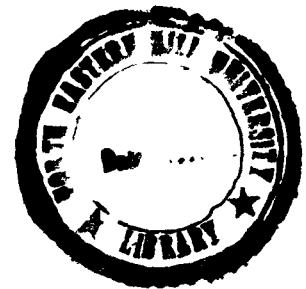
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It is certified that the thesis entitled "Administrative Development in Lushai (Mizo) Hills Upto 1972", submitted by Mr. R.R.T. Sanga to the North-Eastern Hill University for the award of the Degree of Doctor of Philosophy, is a bonafide research work. It has not, either wholly or in part, been submitted to any other institution for conferment of a degree.

This thesis may be placed before examiners for evaluation.

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This is to certify that **Shri R.R.T. Sanga**, Lecturer in Political Science, Kolasib College, Kolasib, Mizoram, prepared this thesis under my guidance in accordance with the rules and regulations governing the preparation of the Ph.D. thesis of North-Eastern Hill University, Shillong. This thesis or part of it was not submitted for any research degree of this University or of any other University. It contains the results of his own investigations. This may be accepted for evaluation.

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THE 22nd FEB. 1990


(M. B. Nair)
Supervisor

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PREFACE

This work is a study of Administrative Development in Lushai (Mizo) Hills upto 1972 when it became a Union Territory. This period covers the entire administrative development and changes from the traditional village administration to the Union Territory administration. It examines in detail the factors responsible for the transformation of the village traditional institution and administration to District Council administration. Besides structural changes in the administration, the study also discusses the nature, character and role of administration (both under the traditional and modern institutions) in the Lushai (Mizo) Hills during this period. In particular, the important question of how far the administration in the then Lushai Hills became development oriented and what was the nature of interaction between politics and administration.

Administration plays an important role not only in the maintenance of law and order but also in the socio-economic and political development of the society under study. Indeed, administration develops with the growth of society. When the society grows into a complex structured entity, with ever growing needs of the people, the administration has to be restructured to meet them. In short, the nature, character and role of administration change when the society changes from one stage to another. This has been very clearly demonstrated

(ii)

in the administrative development of Mizoram from village administration to Union Territory administration.

No detailed study has so far been conducted on this aspect or this area of study. It was felt, therefore, that a detailed study of the various stages of administrative developments from traditional village administration to modern district and state administration would be of crucial significance for the understanding of the changing nature and role of administration in the transitional Mizo society.

This study is completed on the basis of primary and secondary sources. The primary sources include Government reports, records of the District Council and the District administration, laws passed by the Assam Legislative Assembly, Assembly records and other publications of the Government, etc. The secondary sources include books, articles and other published materials. Relevant data have also been collected from ex-Chiefs, ex-Upas, District Council Officials and other knowledgeable people.

I acknowledge with deep gratitude the patient guidance and supervision I received from Dr. M.B. Nair, Reader, Department of Political Science, North-Eastern Hill University, Shillong. Without his direction, encouragement and advice this work would have never reached its present form. I also wish to convey my gratitude to Dr. L. S. Gassah with whom I had a series of discussions on the subject. I am also grateful to Dr. Imdad Hussain, Professor & Head, Department of History, North-Eastern Hill University, Shillong, for his advice.

(iii)

I also express my gratitude to Dr. R. L. Walli, Professor & Head, Department of Political Science, North-Eastern Hill University, Shillong, and other teachers of the Department of Political Science, NEHU, for their encouraging interest shown to me and my work. I also wish to record my gratitude to all those who helped me throughout my research work.

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I also wish to convey my sincere thanks to the Department of Higher Education, Government of Mizoram, for allowing me to avail of the award of Teachers' Fellowship with which this study can be completed.

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I owe a profound debt of heartfelt gratitude to my wife C. Lalrinmawii, for her constant encouragement and most cheerful

(iv)

cooperation throughout the period of my work and last but not the least, I am also very grateful to my daughters - Lalsangpuii and Laldinsangi and son Lalsangzuala, for their enduring support and patient endurance.

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(R. R. T. SANGA)

CHAPTER I

INTRODUCTION

**The Socio-Economic, Cultural and Political Profile
of the Lushai (Mizo) Hills**

Mizoram, the 23rd State of the Indian Union is located in the north-eastern part of India. It is bounded by Bangladesh and Tripura on the west and by Chin Hills of Burma in the east and south. In the north, Mizoram has a common boundary with Cachar district of Assam and Manipur. The international border with Burma runs for about 435 kilometres and with Bangladesh for about 260 kilometres. Hence the location of Mizoram is quite strategic for India.¹

Mizoram was formerly known as Mizo Hills district. Still earlier it was called as Lushai Hills. In local language the area is called Mizoram or the land of the Mizos which has now become the official name. Mizoram continued to be a part of Assam till 1972 when it was made a Union Territory. Again, in 1987 Mizoram was raised to statehood on par with other states of the country.²

When the British came to Lushai (Mizo) Hills, they called the Mizos as Lushais. They were first known to the British as 'Kuki', probably a Bengali word meaning hillmen or highlanders.

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1. Chib, S.S., North-Eastern India: Caste, Tribes and Culture of India, Vol. 8 (Ess Ess Publications, 1984, Delhi), p.300.
 2. Mizoram a Dreamland in the East, (Directorate of Information and Public Relations and Tourism of Mizoram, Government of Mizoram, 1989).

But these people called themselves 'Mizo', 'Mi' means 'man' and 'Zo' is taken to mean 'highland' and so Mizo means 'highlanders' or 'people living in high hills'. Mizo is thus a generic term and it stands for all the hillmen or highlanders in the Lushai (Mizo) Hills.

The origin of the word Lushai to which the district owed its name is not satisfactorily explained in the past. While the first part Lu is interpreted as 'head', the second part shai is taken to mean 'to shoot' and the word Lushai is thus said to define the 'characteristic of a Lushai as a head hunter'. Once again, shai is taken to mean 'long'. The equivalent of long, however, is sei also spelt in the past as shei and not shai. Truly speaking, the word Lushai is a corrupted pronunciation of the word Lusei.⁴ L.B. Thanga, a Mizo himself and a member of Indian Administrative Service, says:

There is no Mizo word as Lushai. This is purely a corruption of 'Lusei' which is the name of one of the many sub-tribes constituting the Mizos.⁵

Lusei is thus the name of a tribe of the many sub-tribes in the Lushai Hills. Formerly, the name of this area was the

3. Ibid.

4. Thanga, L.B., The Mizos: A Study in Racial Personality, (United Publishers, Gauhati, 1938), p. xii.

5. Ibid.

Lushai Hills District but now-a-days this area becomes one of the Constituent States of the Indian Union and is known as Mizoram.

There is no authentic record about the early history of the Lushais (Mizos). However, it is accepted that the Mizos are of Mongoloid stock. According to tradition, the Lushais came out of Chhinlung meaning 'Closed Stone', not a mythical rock as is believed by some, but out of a hole, in the ground, covered with a stone located in the east of Shan State in the Falam subdivision of the Chin Hills district in Burma. They migrated from this region of upper Burma in the 11th century under the pressure of the Chins and the pressure of over population. They passed through the Chindwin valley and the Chin Hills and finally came to the present habitat some time between the seventeenth and eighteenth centuries.⁶

The Lushai Hills is inhabited by a number of tribes which may broadly be divided into five major and eleven minor sub-tribes. The five major tribes are the Lusei, Ralte, Hmar, Paihte and Pawi. Also included were eleven minor sub-tribes known under the common name of 'Awzia'.⁷

6. Rao, V.V. "The Sociology of Mizo Politcis", in North East India: A Sociological Study, S.M. Dubey (Ed.), (Publishing Company, Delhi, 1978), p. 215.

7. Thanga, L.B. Op.cit., p. 5.

The Lusei is the ruling clan and consists of ten commoners' and six Chiefs' clans. Pachuau, Chawngte, Chhangte, Chuaungo, Hauhnar, Hrahsel, Chuauhang, Tochhawng, Vanchhawng and Chhakchhuak are the commoners' clans. The Chiefs' clans include Sailo, Rokhum, Rivung, Thangluah, Palian and Zadeng. Ralte consists of Khelte, Siakeng, Lelhchhun and Kawlni. Hmar is one of the tribes consisting of Lawitlang Zote, Khawbung, Ngurte, Thiak, Lungtan, Leiri, Banzang, Palhuang, Darngawn, Biahte, Hrangkhawl, Hmar, Lusei and Thahdo. Paihte includes Vuite, Dapzar, Paihte, Sukte, Thaute, Thaizang, Lamzang, Losau, Phunnawm, Phaileng, Din, Darbung, Demlo, Vangte and Zawng. Pawi consists of Hauhul, Hlawmchheu and Fanai.⁸

The eleven minor sub-tribes are Chawngthu, Chawhte, Ngente, Khawhring, Khiangte, Pautu, Rawite, Renthlei, Tlau, Vangchhia and Zawngte.⁹

Like other hill tribes of North Eastern India, agriculture is the main stay of the Lushais. About 87% of the total work force of Lushai (Mizo) Hills is engaged in agriculture. The Lushais practised a special type of cultivation known as jhuming, that is, shifting cultivation.¹⁰ This method of culti-

8. Liangkhaia, Mizo Chanchin (Mizo Academy of Letters, Aizawl, 1976), pp. 9-21.

9. Thanga, L.B. Op.cit., pp. 6-7.

10. Chib, S.S. Op.cit., p. 309.

vation which is the backbone of the Lushai economy made the Lushais a migratory tribe. The Lushai villages are not stationary, they change places at regular intervals.¹¹

The principal crop grown by the Lushais (Mizos) is rice. Other crops like maize, ginger, sesamums and other vegetables are only secondary. The Lushais are labourious people and they love to work. All their activities revolve around the jhum operations and their festivals are all connected in one way or another with such agricultural operations. Lushais have three major festivals called Kut such as Mim Kut, Chapchar Kut and Pawl Kut.

Mimkut or maize festival which is usually celebrated during the months of August and September after the harvest of maize. It is a festival expressly dedicated to the memory of the dear ones who had departed from the earth. Chapchar kut is perhaps the most important of the Lushai kut which is celebrated with great funfare and eclat after they completed their jhum-cutting, the most arduous task of their jhum operation. Pawl kut or Harvest Festival is celebrated with great enthusiasm by singing, dancing and community feasting during December to January.

11. Chatterjee, Suhas. Mizoram Under the British Rule, (Mittal Publications, Delhi, 1985), p. 3.

In the Lushai society, there was no class distinction and even no discrimination on grounds of sex. The Lushais' code of ethics or Dharma revolves round Tlawmngaihna meaning altruism, hospitable, kind, unselfish and helpful to others. Tlawmngaihna stands for that compelling moral force which finds expression in self-sacrifice for the service of others.¹² It is this spirit of Tlawmngaihna which guides their thoughts and action towards social life. The acceptance of Tlawmngaihna as philosophy of life goes a long way to shape the values of life of the Lushais and therefore provides a strong anchorage to sustain the social structure of its community-based organisation.¹³

The Lushais were a distinct community and the social unit was the village. Around it revolved the life of a Lushai. Every Lushai village possessed a Zawlbuk called Bachelors' dormitory located in a central place. Zawlbuk was the institution wherein all the young men of the village were shaped into responsible adult members of the society. It may, thus, be said that Zawlbuk played a real vital role in the shaping of the young Lushais into responsible members of the society as well as in the organisation and administration of the village. Again, it served as the most potent institutionalized mechanism of social control.

12. Chatterji, N. Zawlbuk as a Social Institution in the Mizo Society, (Tribal Research Institute, Aizawl, 1975), p. 15.

13. Ibid.

The Lushais are fond of dancing. Most popular dance is Cheraw or bamboo dance. This dance was performed to wish a safe passage and victorious entry into the abode of the dead called Pialral for a soul of a mother who died on child birth. Cheraw is a dance of skill and alert minds. Khuallam is another popular dance normally performed by men and women dressed in Puandum (traditional cloth with black, red and green stripes) with the accompaniment of a set of gongs known as darbu. Another dance called Chheihlam is a dance of joy and exhilaration performed with the accompaniment of a song called Chheih Hla.

The Lushais were wholly animists. They believed in one Supreme being called Creator or Pathian who was the overlord of men, and in demons or ramhuai who inhabited the streams, the hills and the trees. Ramhuai was attributed with illness and misfortune. Most of the Lushai religious energies were devoted to the propitiation of the evil spirits, who were supposed to be the cause of misfortune and illness. They had to be propitiated for health, good harvest and general well-being. The village priest or Puithiam offered sacrifices to this ramhuai according to their traditional rites. The Lushais believed that after death the soul went to the abode of the death or Pialral or Mitthi khua. They also believed that in Mitthi khua all the good things were available in plenty and those who entered into Mitthi khua live and enjoy eternal happiness without

having to labour any more and oblivious of the world they had left behind. The soul of the dead man was believed to pass through Rih lake, a natural lake located inside Burma, near Champhai, a bordering village of Lushai Hills/Mizoram.¹⁴

However, with the coming of Christianity and the introduction of education by the Christian Missionaries more than 50 per cent of them embraced the Christian faith and nearly 60 per cent of them are now literate. The Lushais have been enchanted to their new found faith with so much dedication and zeal that within a very short span of time the entire social life and their outlook on life after death have been altogether transformed and guided by Christianity directly or indirectly and their sense of value have also undergone a drastic change.¹⁵ Christianity has also brought modernism among the Lushais.¹⁶

Christianity helped the Lushais to eradicate many evil practices and customs like head-hunting, sacrifice, slavery, warfare system and inter-tribal feuds. It has replaced them with intellectual pursuits like the spread of western education, literacy and improved ways of living. As a result, the British Government regarded the church as an agency of education and

14. Mizoram: The Exotic Land of Highlanders, (Information, Public Relations and Tourism, Aizawl, 1987), p. 7.

15. Ibid.

16. Chib, S.S. Op.cit., p. 311.

other social services. Besides, the church was not only the religious and cultural agency in the remotest parts of a district but also an employment of the educated people who took to teaching and preaching as a black coated occupation. For a talented man, the favour of a church could mean financial assistance to enable him to reach the threshold of higher education in the plains. In this way the church became a centre of power and patronage in the Lushai (Mizo) Hills.¹⁷

On the other hand, the Christian Missionaries were responsible for adulteration of the Lushai culture and age-old customs and traditions. They only provided the means of seeking their religious conversion in the name of their hood-winking technique of dealing with the simple Lushais (Mizos). Apart from that there are numerous evidences to show that though administration and church were functioning in the Lushai Hills with the same object, that is, the consolidation of the British rule. The results of their operations were not fair in all respects. Thus, the strategy of administration was least interference with the existing order while the activities of the church were undermining their foundations. The inevitable result was a social imbalance that not only lingered but also became aggravated after India's Independence.¹⁸

17. Prasad, R.N. Government and Politics in Mizoram, (Northern Book Centre, New Delhi, 1987), p. 70.

18. Ibid.

The Lushais live in villages. A Lushai village consists of clusters of houses usually set on the top of ridges of a hill. It is strongly fenced 'with several rows of bamboo spikes outside it',¹⁹ in order to get a good defensive position. Lt. Colonel T.H. Lewin describes the Lushai village as:

a confused mass of houses thickly scattered over the hill-side, and nearby all on different levels. The village was surrounded by a palisade of enormous longs, as thick as the leg of an elephant and ten feet high. The entrance lay through a stockaded passage, thickly studded with downward-pointing bamboo spikes, and defended by two heavy doors of rough-hewn timber, so thick as to be practically fire and bullet proof.²⁰

Again, a typical Lushai village consists of an assemblage of houses with the Chief's house at its centre. Each village is an independent unit ruled by a Chief.

In the Lushai Hills, each village used to be an independent unit under the concentrated power of its Chief or Lal.²¹ The Lushais did not appear to have state-like institutions. However, they had a form of polity for maintenance of internal stability and meeting external threats under the leadership of the Chiefs. Thus, the institution of chieftainship had been so firmly embedded in the early history of the Lushais.

19. Shakespeare, J. The Lushei-Kuki Clans, Part I, (Firma KLM Pvt Ltd., Calcutta, Reprint, 1975), p. 19.

20. Lewin, T.H. A Fly on the Wheel or How I Helped to Govern India (Firma KLM Pvt Ltd., Calcutta, Reprint, 1977), p. 197.

21. Pakem, B. "The Changing Power Structure of the Political Institution of Chieftainship in Mizoram", The Journal of the North East India Council for Social Science Research, Vol. V, No. 11, October 1981, Shillong, p.1.

The Chief was the sovereign authority in the village. The chieftainship was hereditary. Traditionally, the youngest son became Chief in the event of death of the father-chief. Though the Chief was the supreme administrative head, he would not assume absolute power in the administration of the village. He discharged several functions along with his council of elders or Upas - affecting the life of the people. These elders were selected or nominated by the Chief himself. Thus, their mode of government may be said to be a democracy by arrangement.²² The Chief could neither misuse his power nor oppress his people. If his subjects were dissatisfied with him, they had the right to move to another Chief's territory. Thus, the power of the Chief were circumscribed by the people of his village. In the administration of the affairs of the village, the Chief and his Upas were guided entirely by Lushai custom.

22. For details see, Animesh Ray's book Mizoram: Dynamics of Change (Calcutta, Pearl Publishers, 1982), pp. 30-31.

Further, Captain T.H. Lewin writes that among these hills tribes we find an actual existing system in practical working, which might well be classed among the visions of Utopian Philosophy. Their mode of government may be described as a democracy tempered by disposition. The right of rule is hereditary, that is only men descended from a certain family can be Chiefs. It does not however follow that all members of this ruling race should be chiefs; on the contrary, it is only those who are specially gifted and endowed with the capacity of drawing men to them who become so. A Chief's power is measured by the number of his fellows, and, as the people who follow him are perfectly free agents, it is natural sequence that the fittest or sometimes the most fortunate is the most powerful. Captain T.H. Lewin, Progressive Colloquial Exercise in Lushai Dialects, Calcutta, 1874, p. 79.

The Chief was a kind and helpful ruler in the village. He looked after the villagers as his own children. He was the leader and defender of his subject and the villagers were bound by custom to obey him. On the other hand, as had already been stated, if the Chief ruled over his subjects with an iron hand, they would move to another village or Chief. J. Shakespeare said that:

The Chief was, in theory at least, a despot; but the nomadic instinct of the people is so strong that any Chief whose rule was unduly harsh soon found his subject leaving him, and he was therefore constrained to govern according to custom.²³

Thus, the power of the Chief was very much circumscribed. Since the Chief was guided entirely by custom, the quantum of powers exercised by him depended on personality. A strong Chief controlled practically everything while a weak Chief was guided almost entirely by his Council of elders or Upas.

All matters of village administration were decided by the Chief along with his council of elders. With the elders the Chief transacted the business of the administration of his village. Again, the Chief along with the elders decided all matters connected with his village. He tried both civil and criminal cases. In fact, he was the appellate authority.

23. Shakespeare, J. Op.cit., p. 43.

The Chief was the owner of a particular land within which his village situated. However, there was no sense of landlordship. The Chief used to allot a plot of land to each family for cultivation for a period of one year. The cultivation is a migratory character and therefore the Lushais always move in search of suitable land for cultivation at intervals of about five years. Actually, it is this search for land for cultivation that has brought the Lushais to their present habitat.²⁴

The Lushai Chief had enjoyed a number of privileges and rights. The privileges which the Chief enjoyed were the Fathang or Paddy tax which was payable in kind to the Chief and amounted to six or ten baskets of paddy per house per year; Sachhiah or Flesh tax - leg of every wild animal shot or trapped by any of his villagers; Khuaichhiah or Honey tax - honey collected by any villagers from within the Chief's land; Chichhiah or salt-tax - a due on salt collected from salt well on his land; Salam or fine - a due known as Salam from the party who lose the case in the Chief's court and Lal in sak or building of the Chief's house with free of cost.

The Chief had also a number of bawi, such as Inpuichhung bawi, Chemsen bawi and Tuklui bawi. Inpuichhung bawi were those

24. Baveja, J.D. The Land Where the Bamboo Flowers, (Gauhati Publication Board, 1970), p. 62.

who took refuge in the Chief's house for want of food. Chemsen bawi means a man who became a slave on account of bloodshed,²⁵ while the Tuklui bawi were those who were captured in wars.

Always on the look-out for new pastures, there were occasions of internecine feuds amongst the Lushais, which gave rise to the system of chieftainship. The first known Chief was to be a Lusei named Zahmuaka whose descendants ruled over vast areas of the Hills. Little was known about them to the outside world till the middle of the nineteenth century, when the Lushais raided the plains of Cachar, Sylhet and Chittagong Hill Tracts, particularly when the kings were weak and imbecile.

It was these raids and plunders which provoked punitive expeditions from the British. A number of punitive expeditions (1884, 1871-72)²⁶ were sent into the Lushai Hills. When the British moved into the Lushai Hills, the Chief fought the British with all the might at their command. However, the Lushai Hills came under the control of the British administration in 1891. The intention in annexing the Lushai Hills was for the protection of the plain areas of Assam.

25. Thanga, L.B. Op.cit., p. 25.

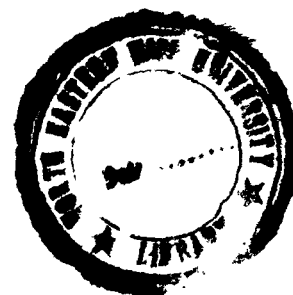
26. For details of punitive expeditions in the Lushai Hills, see A.S. Reid's book, Chin-Lushai Land (Calcutta, Firma KLM Pvt Ltd., Reprint 1976), and also R.G. Woodthorpe's book The Lushai Expedition 1871-72 (Gauhati, United Publishers, Reprint, 1980).

For general administrative purpose the Lushai Hills was divided into two districts, that is, North Lushai Hills with headquarters in Fort Aijal (Aizawl) and South Lushai Hills with headquarters in Fort Lunglêp (Lunglei). The North Lushai Hills was under the immediate charge of the Superintendent of the Hills whereas the south one under a police officer. Public works were in charge of a District Engineer and a Civil Surgeon was stationed at Aijal (Aizawl). Again, the North Lushai Hills was subdivided into twelve circles and the South Lushai Hills into six circles. In each of these circles an Interpreter was posted, through whom all orders were transmitted to the village Chiefs and who was responsible for seeing that these orders were carried out.²⁷

By annexing the Lushai Hills, the British administrators made use of the service of the Village Chiefs for maintaining law and order and also for administering the villages. The British authority left the internal administration of the village to the Chief or Lal. The Chief would settle all disputes except murder and rape which were to be referred to the Superintendent, allocate land for cultivation to the villagers, feed and care for the poor and give shelter to those seeking refuge.

27. Allen B.C., Gait E. A., Allen C.G. and Howard H.G. Gazetteer of Bengal and North East India, (Delhi, Mittal Publications, Reprint 1984), pp. 465-466.

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In 1898, the north and south Lushai Hills were amalgamated as one district under the charge of a Superintendent. Later, the district was declared an Excluded Area under the Government of India Act 1935 and was placed directly under the Governor of Assam, the Act of Provincial Legislature being inapplicable to the district unless specifically extended by the Governor.

The British Government was intensely concerned with the protection of the boundaries of the hill areas. Hence the British Government decided to define the boundary unilaterally. Thus, the boundaries of all the plains districts of Assam with neighbouring hills areas inhabited by the independent tribes were determined by an imaginary line called the 'Inner Line'. This line was to be guarded by a chain of posts and beyond it only political relations with the tribes were to be cultivated.²⁸ The Inner Line separating the area from the rest of India restricted the entry of people other than the natives of the district. The purpose of this system was to safeguard the culture and social customs of the Lushais and to encourage them to develop themselves according to their own competence and genius.

The British Government prohibited all British subjects from going beyond the 'Inner Line' without a pass from the Deputy Commissioner, Cachar.²⁹ This regulation continues even

28. Ray, Animesh. *Op.cit.*, pp. 42-48.

29. Bengal Eastern Frontier Regulation 1873, Section 2. Government of Assam, Notification No. PLA 393/70-Pt dated September 7, 1970.

today in Mizoram. The continuation of this system has been allowed by the government mainly to prevent economic exploitation and the loss of ethnic and cultural identity of the tribes (Mizos).

With the introduction of British administration in the Lushai Hills, the position of the Chief had undergone a drastic change. At the initial stage, the British Government considered it convenient to administer the Lushai Hills through the Chiefs. It was also realized that it would be possible to run the administration of the district without great expenses if the Chiefs' rule was carried on and maintained. When the British took over the Lushai Hills there were about sixty Chiefs, but in 1940 the number rose to more than 400,³⁰ as the British authority created a number of new Chiefs.³¹

Once again, when the British established its sovereignty in the Lushai Hills, the Chiefs were made the representatives of the British Government. The Lushai Chief was, therefore, responsible for all that went on in his village. The Chief was made to deal with almost all types of case. In every village,

30. McCall A.G. The Lushai Chrysalis, (Firma KLM Pvt. Ltd., Calcutta, Reprint 1977), p. 215.

31. The reliable persons and even some of the Government officials were appointed as Chiefs for an efficient as well as effective administration of the Lushai Hills. But, since in the absence of definite rules, policies and checks by the Government there was no statutory binding on their successors.

there was a village writer or Khawchhiar appointed by the Superintendent to help the Chief. 'Formerly, there was no village writer or Khawchhiar. This post was created by the British when they occupied the Hills.'³²

The British administration weakened the position of the Chiefs by vesting the lands occupied by the Chief in its own hand and also by curtailing certain traditional rights of the Chiefs. This lowered the position and prestige of the Chiefs before their people.³³

On the other hand, with the coming of the British into the Lushai Hills, modern education was introduced and the people had therefore been getting educated. They had also access to outside Lushai Hills and as a result they learned the art of democracy. In addition to this, some of the Chiefs misused their rights and powers. Thus, because of modern education and the introduction of Christianity, there emerged a new class in the Lushai society which articulated the feeling of resentment of the people against the activities of the Chiefs.

The resentment of the people against the Chiefs led also to the birth of a political party, that is, Mizo Union. The

32. Lalrimawia, "The Lushai Chief", Historical Journal of Mizoram, October-December 1982 and January-March 1983, Vol.II, Book 2 & 3, Aizawl, 1983, p. 15.

33. McCall A.G. Op.cit., p. 202.

Mizo Union emerged with definite objective of improving the political condition of the people and establishing good relations between the Chiefs and the people. It also aimed at democratising the machinery of administration of the village.

The Mizo Union demanded that a Chief should rule the village not through the elders or Upas appointed by the Chief himself but elected by the people. However, after sometime the Mizo Union having not satisfied with this demand, appealed further to the British authority for the abolition of Chieftainship itself which culminated in its abolition in 1954.

But the resentment against the Chiefs was regarded by the British as opposition to the British authority. On the other hand, the Mizo Union aroused the feeling of the people against the Chiefs. With the initiation of the Mizo Union, the people went to the extent of damaging the gardens of the Chiefs and their supporters and also stoned their houses as well. However, the British Government supported the prevailing system of administration of the village by the Chiefs. Thus, this conflict between the Mizo Union backed by the common people and the Chief supported by the British authority continued even after the end of British rule in India, 1947.

Before and after the commencement of the Indian Constitution, a sense of uncertainty and apprehension about their poli-

tical future gripped the minds of the educated leaders of the Lushai Hills. It was a fact that during this period the Lushais aspired for something better. Truly speaking, they were thinking in terms of separation from India. The Mizo Union and other organisations like Mizo Hmeichhe Association, Ex-servicemen Association demanded as widest autonomy as possible for the Lushai (Mizo) Hills. Finally, the Lushai Hills District Council was created in 1952 along with United Khasi and Jaintia Hills, Garo Hills, Naga Hills, North Cachar and Mikir Hills as provided under the Sixth Schedule of the Constitution of India. Thus, to some extent, the aspiration of the people for political power was fulfilled.

The institution of the District Council was a completely new and untried experience for both the district and the State (Assam) and the going was rather difficult and unsteady during the initial period.³⁴ The District Council started functioning with twenty members, 18 elected and the rest nominated. The members of the District Council were selected on the basis of adult franchise.

The District Council which was dominated by the Mizo Union abolished the institution of chieftainship and in their places, created democratically elected body, that is, village

34. Bawichhuaka, H.K. "Mizoram Panaroma (Upto U.T.)", Mizoram News Magazine, Issue No. 1, August 1984, Aizawl, p. 27.

councils in the villages. The District Council, however, soon came into criticism due to its limited role within a decade. People became dissatisfied with the working of the District Council due to lack of adequate financial assistance from the Government of Assam. Even the Mizo Union was not satisfied and therefore demanded a separate State within the Indian Union.

In 1959, there was famine called Mautam which ultimately resulted in armed revolt against the Government of India. This famine was a phenomenon occurring at the interval of fifty years, marked with flowering of bamboos and incredibly high proliferation of rodents, which swarmed the jhums and devoured all the crops. The result was a widespread famine. To relieve the needy people the Government supplied free food in the district. However, the people felt that the Assam Government did not pay adequate assistance to the district. Many voluntary organisations were thus formed to alleviate the distress of the people. One of such organisations was the Mizo National Famine Front (MNFF), which turned itself into Mizo National Front (MNF) in 1961 with the objective of attaining independence and sovereignty for the Mizo Hills.³⁵

Motivated by the political aspiration and compelled by awareness of the existing economic and political backwardness,

35. Heralding Mizoram State, (Information, Public Relations and Tourism, Aizawl, 1987), p. 4.

the Mizo National Front Movement founded by Mr Laldenga, gained unprecedented popularity. For achieving its goal, the Mizo National Front took arms on February 28, 1966, and thus insurgency broke out in the Mizo Hills.³⁶

This insurgency paralysed the administration of the village and the district as a whole for sometime. The district was also declared a disturbed area and security forces were inducted to deal with Mizo National Front Movement.

With a view to facilitate the operations of the security forces, to offer protection to the villages and to give opportunities for better extension services, villages were brought together and grouped along the motorable roads. The grouping villages were called Progressive and Protected Villages (PPV) but later changed to Group Centres, looked after by an Administrative Officer who was assisted by Extension officers for various developmental activities.³⁷

Thus, by realising the political unrest, the Government of India enacted the North Eastern Re-organisation Act 1971 and subsequently under the provision of this Act the Mizo Hills District was again Christened 'Mizoram' and made a Union Territory on January 21, 1972. As a result, the Mizo District Council

36. Ibid.

37. Ibid.

was abolished in 1972 and Mizoram was divided into three districts, namely - Aizawl District, Lunglei District and Chhimtui-pui District. The Pawi-Lakher Regional Council was also trifurcated into Pawi, Lakher, and Chakma District Councils. It may thus be said that Mizoram has witnessed vast constitutional, political and administrative changes during the period under study.

In short, the administrative development in the State could be traced from the traditional village administration headed by the Chiefs who continued till 1954 when their offices were abolished. The village administration was taken over by the District Council, a modern democratic political institution, functioning within the then composite State of Assam. But in 1972, the administrative pattern had undergone a significant change with the upgradation of the Mizo Hills District into a Union Territory of Mizoram with its own popular government.

CHAPTER II

CHIEFS AND VILLAGE ADMINISTRATION:

PRE-BRITISH PERIOD

Village Polity Formation

Evolution of Chieftainship

Powers and Functions of Chief in Village Administration

Relationship Between the Chief and the People

Village Polity Formation

The Lushai Hills was a homogeneous society with no class distinction and no discrimination on grounds of sex. It was essentially a village society and around it revolved the life of the Lushai.¹ The village existed like a big family. It was because of this, that they looked at each other as brothers and sisters. Life was so much enjoyable in the village. Marriages, births and deaths in the village were important occasions for the whole village which called for everyone's attention and participation.² They used to help each other whenever necessary. Social obligations were taken seriously by the Lushais.

Almost all the Lushai villages were set on the top of a hill with the Chief's house at the centre and the bachelor's dormitory called Zawlbuk, prominently located in a central place.³ Zawlbuk was almost like a present day school where every unmarried young man was taught and trained into

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1. Mizoram, the Exotic Land of Highlanders, op.cit., p. 2.
 2. Heralding, Mizoram State, op.cit., pp. 6-7.
 3. Sanga, R.R.T. "The Position of the Lushai Chiefs under the British Administration", M. Phil. Dissertation, NEHU, Shillong, 1985, p. 17.

the responsible adult member of the Lushai society.⁴ In and outside the Zawlbuk, the young men were supposed to obey their elder-fellows or Val-upa. In case any young men failed to obey the words of the elder fellows, they were punishable. If any young man was punished, no complaint could be made by his parents against it. Zawlbuk was thus the focal point of the Lushai activities in social and other matters.

As the Lushai village was always raided by the neighbouring tribes from the east, the village and the clan formed the polity of Lushai village for all practical purposes. However, the Lushais did not have a state-like institution. The people of the village under the leadership of the Chief and his council of elders defended the village and, sometimes they sacrificed their own life for the protection and defence of it. In this way, the Lushais maintained internal stability and also defended themselves from external threats.⁵ Although the polity of village was formed for the purpose of administering the village and defending it from external threats, the first loyalty of the Lushais was to their Chief.

Evolution of Chieftainship

Before they came to the present habitat, the Lushais lived at the Chindwin belt in Burma. During their stay at

4. Interview with Lt. Colonel H.S. Luaia who was related to one of the village Chiefs, dated February 7, 1988.

5. Ibid.

the Chindwin belt, the Lushais had a cruel Chief.⁶ The Chief ruled over them in an autocratic manner and the people wanted to go away from him. By this time, a great famine swept over the entire land and subsequently many of the people died. Thus, the people wanted to go away from the Chindwin belt for two reasons - one was the cruelty of Chief and second the famine which overran the country. They, therefore, emigrated from here into two groups - one went north and the other south west through which they entered into India.⁷

After entering India, the Lushais halted at Lentlang village. They stayed here for many years. According to Rev. Liangkhaia, a religious leader, "the Lushais had been in this area for about two hundred years."⁸ They lived together in the village but at the same time each sub-tribe settled in separate areas within the village without the help of a Chief for sometime.

While dealing with the evolution of the Lushai chieftainship, it would be worth mentioning the other tribes, that is, the Kukis and Paite who claimed that they sprang from the same ancestor as that of the Lushais. Both the tribes

6. The name of the Chief is not known. Remrawma, aged 105, probably the eldest man among the Mizos, also could not give the name of the cruel chief.

7. Thanga, L.B. Op.cit., pp. 3-4.

8. Liangkhaia, Rev. History of Lushai, (Hmingliana & Sons, Aijal, 1951), p. 39.

believed that Nova was the farthest known progenitor of Paite and Lushai Chiefs. Nova had a son named Dongula, who had also a son Niguite. Niguite had two sons - Bawklua and Ngeknuka. While the former was considered to be the progenitor of the Lushai Chiefs, the latter was that of Paite Chiefs.⁹ Regarding the progenitor of the Lushai Chief, Lt. Colonel J. Shakespeare wrote that:

The existing Lushai chiefs claim descent from a certain Thangura, who is sometimes said to have sprang from the union of a Burman with a Paihte woman, but, according to the Paihtes, the Lusheis are descended from Boklua, an illegitimate son of the Paihte chief Ngeknuka. The Thados say that some hunters tracking a serao noticed the foot marks of a child following those of the animal, and on surrounding the doe serao they found it suckling a child who became the great Chief Thangura, or, as they call him, 'Thangul'. From Thangura the pedigree of all the living chiefs is fairly accurately established. The Lusheis, in common with the Thados and other Kuki tribes, attach importance to their genealogies; and pedigrees, given at an interval of many years, and by persons living far apart, have been found to agree in a wonderful manner. From comparison of the genealogies and from careful enquiries lasting over many years, I estimate that Thangura must have lived early in the eighteen century. His first village is said to have been at Thangkua, north of Falam. It is possible that he personally ruled over only a small area. From him sprang six lines of Thangura Chiefs - 1. Rokhum, 2. Zadeng, 3. Thangluah, 4. Palian, 5. Rivung, and 6. Sailo.¹⁰

9. Zatluanga, Mizo Chanchin, (Aizawl, 1966), p. 87.

10. Shakespeare, J. Op.cit., pp. 2-3.

According to Rev. Liangkhaia, the farthest known Lushai Chief, Sihsinga belonged to one of the Lushai tribes - the Paite. Sihsinga had a son named Ralna. Ralna's son was Chhuah-lawma who had a son named Zahmuaka. From Zahmuaka started the Lushai chieftainship.¹¹

According to Lalhuatthanga, one of the oldest existing ex-Chiefs, the institution of chieftainship began from the time of Zahmuaka who was the first Lushai Chief. Zahmuaka had six sons - Rivunga, Paliana, Rokhuma, Thangluaha, Zadenga and Sailova. All of them became Chiefs in different areas on their own account.¹²

It is thus clear that Sihsinga was the progenitor of the Sailo (Lushai) Chiefs. The Paite also agreed that Bawklua, the father of Sihsinga, was the progenitor of the Lushai Chiefs.

After forshaking their Chief at the Chindwin belt, the Lushais lived at Lentlang village. It was during their stay at Lentlang that Lushais were always raided by their neighbouring Burmeses. To counteract such attack a number of sub-tribes combined together to form into one village which they built at Selesih in the east (1740). It was at

11. Liangkhaia, Rev. Mizo Chanchin, (New Lila Printing & Binding Works, Calcutta, 1940), p. 36.

12. Interview with Lalhuatthanga, ex-Chief, dated January 25, 1984.

Selesih where the Lushais had again taken a new Chief. The Selesih was a very large settlement with more than seven thousand houses. But such a large village could not sustain itself for long. There was not enough drinking water, firewood for fuel, nor suitable land for cultivation. For this, the Selesih village was broken up. After it was broken up, the Lushais lived at different villages. The Chhakchhuak lived at Seipuikhur. The Ralte stayed at Saihmun and Saipui; Chawngthu at Sanzawl and Bochung; Khiangte at Peplawl, Belmual and Lungchhuan; Huhnar Chuauhang at Huhnar range and Ngente, Punte and Parte Siallam. When the Chhakchhuak people were at Seipuikhur, their neighbouring village invited them to offer a Chief. But the Chhakchhuak people refused and asked them to request Zahmuaka to be their Chief.¹³ When Zahmuaka was requested to be the Chief, he accepted the onerous duty of a Chief. L.B. Thanga also traced the origin of chieftainship and wrote thus:

The birth of Zahmuaka was as follows. The first Lusei settlers at Seipuikhur were of the Chhakchhuak clan. This clan was at war with the Paites, who were then living on the right bank of the Chindwin. In the fight, one Chhuahlawma, the son of Paite warrior called Ralna, was captured by the Chhakchhuak people and carried off as a slave. He was later adopted by them as their son. When he grew up and got married,

13. Thanga, L.B. Op.cit., pp. 4-9.

his first son was named Zahmuaka by his wife. Za means hundred and hmuak means to meet. Zahmuaka therefore means a man who was met by hundred persons. He was so named because, according to his mother when his father was brought home as a captive after the war, he was met by hundred of people. Zahmuaka had six sons. They were Zadenga, Paliana, Thangluaha, Thangura, Rivunga and Rokhuma. All these names have meanings. A significant feature of Lusei name is that all the males are distinguished by a suffix 'a' at the end, and all the females by a suffix 'i'. Zahmuaka and his wife were very poor. Their house was built below the main path in the village. Because of their poverty, nobody respected them whoever passed along the path used to throw stones at their house. When their first son was born, he was named Zadenga. Za, we have seen before, means a hundred and deng means to throw. Thus Zadeng means a man on whose house stones were thrown by hundreds of people. The meaning of the next son, Paliana, is a big man. Pa means a man and lian means a big. He was so named because he was a strong and healthy child. The name of the third son, Thangluaha, means one who surpasses or one who is famous. The third son was so named not because they were rich but because they had surpassed others in poverty. Thangura means good above the ordinary; and the fourth son was given this name because he was unusually handsome. Ri means a sound and vung means to vibrate. By now, there were so many noisy children that the fifth son was called Rivunga. The sixth son was called Rokhuma. Ro stands for property and khum means to cross or to exceed. Zahmuaka and his wife now felt that with six healthy and strong boys, they could proudly regard themselves richer than anyone else. Thus, when the neighbouring village approached him, Zahmuaka did not have any hesitation in accepting the duty of a chief. All clan names owe their origin to the names of persons, and the Chief's clans amongst the Luseis are called Zadeng, Paliana, Thangluah, Rivung and Rokhum. In the case of Thangura's sons, the clan was named after one of Thangura's sons called Sailova from whom the Sailo of today trace their descent.¹⁴

14. Ibid.

It is thus clear that the institution of chieftainship appeared to have grown out of the collective needs of group life which characterized tribal living. However, it is not possible to state clearly when and how in the past this institution took concrete shape. In fact, this institution of chieftainship emerged at quite an early stage of evolution in the group life.¹⁵

Again, the institution of chieftainship originated out of the collective needs of group life and it was not made by divine power. In the words of Thangkhuma, one of the oldest Mizos in Shillong, "in the evolution of the institution of chieftainship in the Lushai society, religion was of no importance and even the Chief did not perform any religious functions."¹⁶ This was corroborated by Saitawna, an ex-Upa of Hmunpui, who said that the Chiefs were not appointed or made by God; therefore God did not create the institution of chieftainship. In fact, the institution of chieftainship appeared in the Lushai society as a result of the collective needs of the people.¹⁷

On the other hand, the right to rule over the people was enjoyed by the one who had the power and ability to command

15. Chatterji, N. The Mizo Chief and His Administration, (Tribal Research Institute, Aizawl, 1975), p. 1.

16. Interview with Thangkhuma, dated June 29, 1985.

17. Interview with Saitawna, ex-Upa, dated June 30, 1985.

a large number of people and to repeal any attack by other Chiefs. Thus, chieftainship originated in the physical and intellectual power of a person.¹⁸ Or, a person who had the power of giving security to the people became a Chief.

It may thus be concluded that the institution of chieftainship started from the time of Zahmuaka. From him sprang six lines of Lushai Chiefs - Rokum, Zadeng, Thangluah, Palian, Rivung and Sailo. With the passage of time, the Sailo became the most powerful Chiefs and they ruled the entire Lushai Hills at the time of the advent of the Britishers.

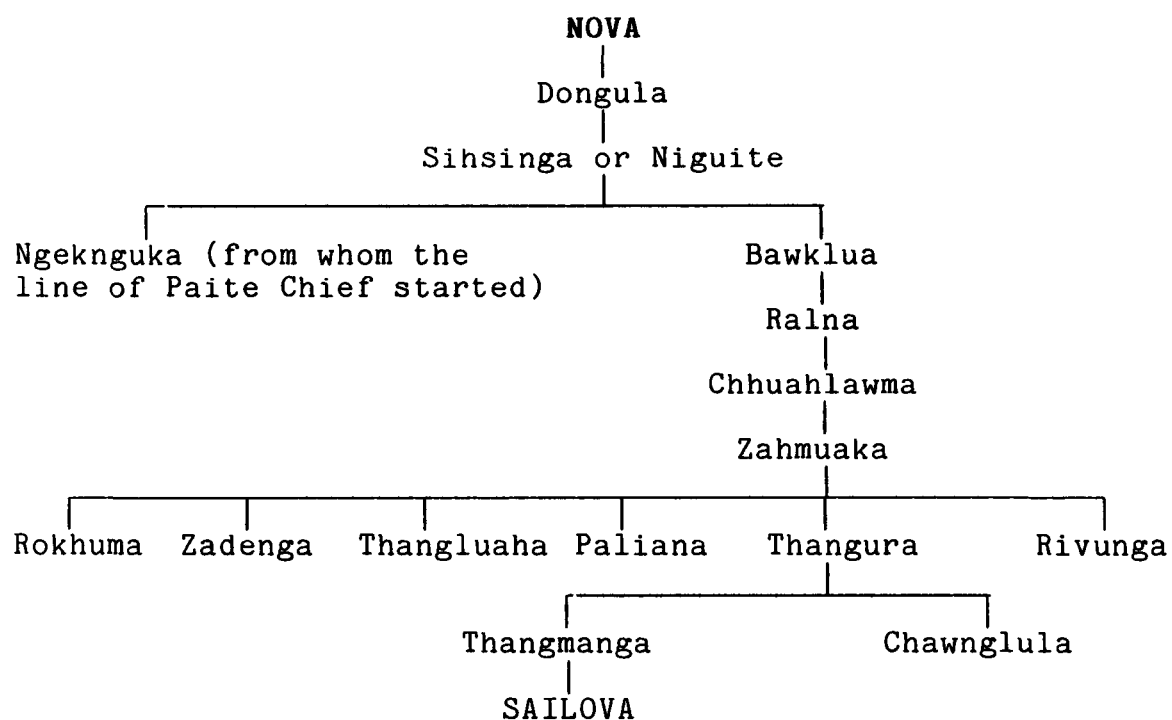
Besides the Sailo Chiefs, there were other Chiefs belonging to a few other tribes such as Hualngo and Pawi Chiefs. These Chiefs held sub-villages under Sailo Chiefs. There were also a number of Pawi and Lakher Chiefs in the southern part of the Lushai Hills. These Chiefs had never fallen under the influence of the Sailo Chiefs.¹⁹ The chieftainship was, however, a little different. It was less democratic than the Lushais.²⁰

18. Prasad, R.N. Op.cit., p. 49.

19. Lalrimawia. "The Lushai Chief under the British Rule" Proceedings of the North East India History Association, Third Session, Imphal, 1982, J.B. Bhattacharjee (ed.), Shillong, 1983, p. 137.

20. Shakespeare, J. Op.cit., p. 216.

Geneology of the Lushai Chiefs may thus be indicated below:



Regarding the mode of succession, when the Chief died or he became unable to run the administration of his village, his youngest son succeeded him. With regard to succession, Shakespeare wrote that:

The youngest son remains in his father's village and succeeded not only to the village, but also to all the property.²¹

Each son of a Chief was provided with a wife and also given a certain number of households from his father village

21. Ibid., p. 42.

and sent forth to a village of his own. Henceforth, he ruled as an independent Chief. His success or failure depended on his own talents for ruling.

The Lushai Chiefs usually had, in addition to their legal wife, several concubines. Whereas the children by the legal wife were known as Chhungpuifa. The children by concubines were illegitimate and were known as Hmeifa. Besides these children, the Chief always had one or two children as a result of clandestine unions with girls in the village. These children were also illegitimate and called as Sawn. In case a Chief had no legitimate sons, his eldest Hmeifa would succeed to chiefship. If a Chief had neither Chhungpuifa nor Hmeifa, a Sawn even could succeed him.²²

Powers and Functions of Chief in Village Administration

In the Lushai Hills, each village was ruled by a Chief or Lal who was entirely independent.²³ He was at the pivot of the Lushai society. The Chief was the sole centre of authority. He was supreme in his own village. The Chief's position in the village was indeed that of a benevolent ruler.²⁴ The Chief maintained his position through his personal qualities.

22. Parry, N.E. A Monograph on Lushai Customs and Ceremonies, (Firma KLM Pvt. Ltd., Calcutta, Reprint 1976), p. 4.

23. Shakespeare, J. Op.cit., p. 42.

24. Chatterji, N. Op.cit., p. 3.

J. Shakespeare had thoroughly described the Chief's position in the village administration and said that:

The chief held rather an anomalous position. Normally he was a despot - I am speaking now of the state of things which existed prior to our occupation of the Hills - but in reality his power was very much circumscribed, and his subject could so easily transfer their allegiance to some rival chief, who would probably be willing; for a consideration to champion the cause of his last recruit, that every ruler had to use tact as well as force. In fact, the amount of power he wielded depended almost entirely on the personal influence of the chief. A strong ruler, who governed mainly according to custom, could do almost everything he liked without losing his followers, but a weak man who tried petty tyrannies soon found himself a king without any subjects.²⁵

Thus, the Chief was guided by customs in the administration of the village. The Chief was constrained to govern his subjects according to custom. Any Chief whose rule was unduly harsh would find his subjects leaving him. Thus the Chief always tried his best to rule in accordance with the custom.

The position of the Chiefs in the Lushai Hills was the same as that found in Africa. In the eyes of the African villagers Chiefs had the right to demand tribute and certain services and the right to punish disobedient subjects. But they had not the right to demand obedience to whatever commands

25. Shakespeare, J. Op.cit., p. 44.

they might choose to give and if they tried to do this, they might find that their subjects left them and migrated to the territory of more easy going neighbours.²⁶

Theoretically, the Chief was an absolute ruler. Apart from being the supreme head, he also owned all that was in his village. His powers ranged from calling upon his people to provide him with everything that he might require such as constructing his house with the free labour of the villagers to leading a war path.

Although in theory the Chiefs were all powerful and strong, they did not assume absolute power in the administration of the village. In the administration of the affairs of his village, the Chief was assisted by a council of elders known as Upas.²⁷ These Upas were appointed or nominated by the Chief himself generally from among the rich section of the society. The Chief could dismiss any Upa as he found necessary. There was neither fixed number of Upas nor fixed tenure for the Upas.

The Chief and his Upas conducted the business of the day-to-day administration of the village. With the cooperation

26. Mair, Lucy. New Nations, (Widenfeld & Nicholson, London, 1963), p. 107.

27. Interview with Lianhnuna, ex-Upa of Siaksuk village chief, Lalthima, dated September 17, 1987.

of the Upas, the Chief discussed and decided all matters affecting the life of the people. Again, along with the Upas, the Chief used to distribute lands for cultivation for a period of one year to each family at the beginning of every year.²⁸

The Chief's Council was the one and only court of justice in the village. All disputes were heard and disposed in the Council. The Chief and the Upas tried both civil and criminal cases in accordance with the custom. The punishment that could be inflicted on any villager who committed theft to paddy, etc. took the shape of cash fine which might range up to an upper limit of forty rupees and a Salam of five rupees or a female pig. The party which was thus fined had to pay the prescribed amount to the victorious party and a Salam of five rupees which was received by the Chief and his Upas as fee for trying cases and the same would be spent on a feast.²⁹ In the event of compromise between the disputing parties, the Salam was to be given equally (that is, Rs.2.50 each) by the two sides in the dispute. The Chief could also turn out any villager who was found to be repeating an offence

28. Brochure on Mizo Chiefs' Function in the Village, (Published by Students' Union, Siaksuk, 1978), pp. 5-6.

29. Siama, V.L. Mizo Chanchin, (Aizawl, 1958), pp. 16-17.

several times. The Chief would also seize all the property of a man who was found to be disobeying his orders.³⁰

The Chief would never try a case without consulting his Upas.³¹ In dealing with all types of cases, the Chief and Upas were guided entirely by custom. A Chief who did not take care of custom and oppressed the villagers would soon lose his importance and popularity. Not only this, his subjects would easily migrate to another village. In fact, this custom checked the arbitrary use of power on the part of the Chief.³² But there was no other provision by which the Chief could be removed from his office.

With regard to the administration of the village by the Chief, N.E. Parry, the then Superintendent of the Lushai Hills, writes that:

All matters of internal village administration are decided by the Chief assisted by his council of elders or Upas. Although all power is theoretically in the hands of the Chief, practically speaking he will never try a case without consulting his Upas and as a rule three or four Upas try cases with the Chief. These Upas are appointed by Chief and can be dismissed by him.³³

30. Chatterji, N. Op.cit., p. 4.

31. Lalrimawia, The Lushai Chief Under the British Rule, op.cit., p. 138.

32. Parry, N.E. Op.cit., pp. 1-2.

33. Ibid.

Thus, the way of administration of the village may be said to be the system of democracy. According to Dokhama, an ex-Upa, "the administration of the village by the Chief is almost identical with that of modern democracy."³⁴ L.B. Thanga also says that "Democracy may be said to be in the blood of the people"³⁵ of the Lushai Hills.

In addition to the elders or Upas, the Chief had also some village officials to assist him in the administration of his village. They were the Ramhual, the Tlangau, the Thir-deng, the Puithiam and Zalen. These village officials were appointed by the Chief himself.

Ramhual: The Ramhual were those who advised the Chief where jhums should be cut each year. In consultation with the Ramhual, the Chief used to allot a certain plot of land to each family for cultivation for a period of one year. Then the Chief got first choice and selected the land he wanted for his own jhum. After him, the Ramhual selected their jhums in order and had to pay heavier paddy tax called Fathang,³⁶ that is, ten baskets of paddy to the Chief than ordinary villagers who were to give six baskets of paddy.

34. Interview with Dokhama, ex-Upa, dated January 7, 1985.

35. Thanga, L.B. Op.cit., p. 10.

36. Parry, N.E. Op.cit., p. 7.

Each basket is the equivalent of the size of mustard Oil tin. After the Ramhual, the common people selected their jhums. The Ramhual were generally selected from any villagers who were good cultivators. The number of Ramhual was not fixed and therefore varied in different villages.³⁷

Tlangau: Tlangau was the village-crier whose duty was to relay and proclaim important messages as well as the Chief's orders to the villagers. By way of remuneration, he was exempted from coolie labour and was paid Fathang (a basket of paddy) from each house at the end of every year. However, this kind of remuneration, that is, Fathang varied from village to village.³⁸ Usually the Chief had never more than one Tlangau as the village was not so large and the houses not so dispersed. As such, one Tlangau would be enough to inform the Chief's orders or any information to the whole village.³⁹

Thirdeng: Thirdeng was the blacksmith. Thirdeng was of two types. The first one was the village Thirdeng and second the private Thirdeng. The village Thirdeng had to make and repair the tools of the villagers. He made agricultural implements and weapons for the villagers. As remuneration,

37. Interview with Mrs Lalthima, ex-Chief's Wife of Sialhawk, dated May 7, 1986.

38. Interview with Lianhlira, ex-Tlangau (crier); Kolasib, dated January 27, 1988.

39. Ibid.

he received a basket of paddy called Pumhlawh from each household after every harvest. The Thirdeng could also claim a little share in every animal shot or trapped by any villagers and this was known as Thirdengsa.

The village Thirdeng was a professional blacksmith and spent all his energy and skill in blacksmithy alone whereas the private Thirdeng was a part-time blacksmith who could be employed by the villagers at any time.⁴⁰ In big village, the Chief could have more than one village Thirdeng if he found it necessary.

In addition to the officials mentioned above, there were three other functionaries of some importance, namely Bawlpu, Sadawt and Tlahpawi. These were called Priests. Bawlpu was a priest like a medical practitioner who felt the pulse of patient and prescribed whatever necessary. Every villager could use him to perform necessary sacrifice of healing.⁴¹ As a remuneration for his services, he received a basketful of paddy from each house after every harvest.

Sadawt was the Chief's private priest who conducted the Chief's sacrifices. He was the highest priest or Puithiam

40. Interview with Selet Thanga, a religious Upa, dated September 21, 1989.

41. Lalsuaka, Mizo Huntawng, (Aizawl, 1982), p. 46.

in the village and acted only as the official village priest. The Sadawt had to perform the religious sacrifices of the Chief. The Tlahpawi was a sort of assistant to the Sadawt and was usually a friend of the Chief.⁴² As for instance, during the sacrificial killing of a mithun, the Sadawt chanted incarnations over the animal while the Tlahpawi was responsible for other items of ritualistic work connected with the sacrifice.⁴³

Zalen: The Chief had a number of persons who were known as Zalen or free men. They were men of possession and were exempted from paying Fathang to the Chief in consideration of their specific obligation to help the Chief if he ran short of paddy or fell into any other difficulty. Again, the Zalen were the rich persons in the village who were approached by the Chief to come to his aid to give help to the poor or even to the Chief himself when he was in need and in time of scarcity. These Zalen were normally selected from amongst the ministers or Upas by the Chief himself. They were given priorities in selecting jhum-sites. When all these people have had their choice of jhums, the common people were then allowed to choose the land for their jhum.⁴⁴

42. Ibid., p. 47.

43. Chatterji, N. Op.cit., p. 11.

44. Zawla, K. Mizo pipu te leh an thlahtute chanchin, (Aizawl, 1962), p. 107. Also see, Thanga, L.B. Op.cit., p. 10, and the interview with Zachani, a well-informed person about the village administration, dated September 23, 1988.

As an administrative head, the protector and guardian of his village, the Chief was too busy to afford sufficient time for cultivation. In return for his service, he was given a certain number of dues in kind. The Chief started receiving such dues from the time of Zahmuaka⁴⁵ from whom the Lushai (Sailo) Chiefs traced their origin. The privileges enjoyed by the Chief were as follows:

Fathang or Paddy Tax - The Chief was entitled to a share of the produce cultivated in his land or ram. This due, known as Fathang was payable in kind and mounted to six or ten baskets of paddy per house per year. According to custom, the Ramhual had to give ten baskets of paddy while the people six baskets of unhusked rice. Fathang should be paid from all types of cultivation within the Chief's land, namely jhum for paddy cultivation and other subsidiary cultivations such as a plot of land for vegetable cultivation as well as cotton cultivation. The cotton cultivator had to pay three Dawrawn⁴⁶ of cotton as Fathang to the Chief.⁴⁷

Sachhiah or Meat Tax - The Chief received also one hind leg of every wild animal shot or trapped by any of his

45. Zatluanga, op.cit., p. 88.

46. One Dawrawn is equivalent to the size of three tins of mustard oil. Then three Dawrawn equal to nine tins of mustard oil.

47. Interview with Thulova, Village Elder, dated August 31, 1983.

villagers within his land. If an elephant was killed, he took one of the tusks in lieu of the hind leg. No meat tax was taken by the Chief if the animal was killed by another wild animals or killed itself accidentally.⁴⁸

Khuai chhiah or Honey Tax - The Chief was entitled to a little share of honey which was collected by any villagers from within his land. The villager had to carry the honey tax to the Chief who resided in a distant place. Failure to pay honey tax resulted in a fine.⁴⁹

Chichhiah or Salt Tax - The Chief was also entitled to a due on salt collected from salt well on his land. Whenever a salt well or Chikhur was found in a village, the Chief was entitled to a substantial share of all collection made therefrom. The party engaged in collection of salt used to offer salt to the village Chief at the rate of half of a seer for the collective group. Besides, the Chief, if he so desired, could collect as much salt as he liked from any of his Chikhur. No villager was permitted to take salt from any Chikhur without prior permission of the Chief.⁵⁰

48. Ibid.

49. Thanga, L.B. Op.cit., p. 12.

50. Parry, N.E. Op.cit., p. 5 & Interview with Lalhuatthanga, ex-Chief, dated May 3, 1987.

Salam or Fine - Whenever a case was tried by the Chief, he had to receive a due known as Salam from the party who lost the case. The Chief and his Upas would usually spend the Salam on a feast. Sometimes in lieu of the cash payment of Salam, offering of a female pig was accepted.⁵¹

Lal in sak or construction of Chief's house - The Chief's house was to be built by the villagers, free of cost and no remuneration could be claimed by the villagers. Every house was required to supply free labour to construct it. The villagers had also to repair the Chief's house periodically free of cost.

As an administrator and supreme head of the village, the Chief enjoyed the right (1) to order capital punishment to those who committed murder or rape; (2) to seize food stores and property of the villagers who wished to transfer their allegiance to other Chief; (3) to levy tax from traders who were doing business within his jurisdiction; (4) to attach the property of his villagers when he wished or deemed fit, with or without fault on the part of the villagers, (5) to help bawi who were, by custom not open to redemption; (6) to freedom of action in relation to making his son Chief within his land; (7) to freedom of action in relation to all kinds of bawi who constituted the means whereby the Chief could

51. Ibid.

cultivate and acquire the ability to sustain his village in peace and in war time, and (8) proprietary rights over lands.⁵² It was a fact that the Chief had the right over the life and death of his subjects.

The Lushai Chief had also a number of bawi. These bawi were dependent upon a Chief. On the other hand, much of the position of the Chief depended on the bawi custom, which had been an institution of dependence of certain categories of persons on the Chief. There were three categories of bawi, namely, Inpuichhung Bawi, Chemsen Bawi and Tuklut Bawi. The first type of Inpuichhung bawi meant, literally, a slave within the main house. 'In' being 'house', 'Pui' main, 'Chhung' within and 'bawi' almost equivalent to 'slave'.⁵³ This type of bawi was applied to person(s) who, driven out by want of food and shelter or because of sickness, took refuge in the Chief's house. Orphans and widows who were unable to support themselves and had no relatives willing to do so, formed the bulk of this class of bawi.⁵⁴ These bawi would work for the Chief. The bawi would remain under the control and protection of the Chief till their death or they could regain freedom by paying a freedom price of

52. McCall, A.G. Op.cit., p. 121.

53. Ibid.

54. Shakespeare, J. Op.cit., p. 46.

Sepui or she-mithun. These bawi were always treated well by the Chief and were to some extent regarded as one of the members of the Chief's family.

The second category of bawi was called Chemsen bawi who were applied to criminals. The term 'Chem' being a 'dao' and 'sen' meaning 'red' or in short a 'murderer'. Such as a person would seek refuge in the Chief's house. Once he entered the Chief's house, he got immunity against punishment. Thereafter he became the property of the Chief and nobody could touch a Chief's property. He had to work for the Chief.⁵⁵ McCall wrote that:

This kind of chemsen bawi was under no obligation to work for the chief but the measure of submission was great in that the chief acquired the right to the marriage price of his Chemsen bawi daughters, when they came of marriageable age.⁵⁶

Tuklut bawi was applied to person who, during war, had deserted the losing side and joined the victorious Chief by promising that he and his descendant would be bawi. These bawi were comparatively free and were permitted to live in separate house. They could also regain their freedom by paying the required fee, that is, Sial or mithun.⁵⁷

55. Interview with Liankunga, ex-Chief, dated May 2, 1988.

56. McCall, A.G. Op.cit., p. 122.

57. Sanga, R.R.T. Op.cit., p. 31.

In addition to bawi, there were also a number of sal or captives. Sal were applied to persons who were captured in war and raids. The position of sal was quite different from that of any of the classes of bawi. Sal were the personal property of the Chief.⁵⁸ Sometimes, a Chief, who was defeated in war, was captured as Sal, but was usually let free and permitted to return to his village after war. The release of Sal taken in war depended entirely on the good will of the owner, that is, Chief.

Generally, children were taken as Sal or captives and were released when they became mature. In the words of J. Shakespeare,

As a rule only children and marriageable women were taken captive and the latter were disposed of in marriage, the lucky captor acting in Loco parentis and taking the marriage price. The children grew up in the captor's house as his children, and as a rule were so well treated that they seldom wished to return to their former homes.⁵⁹

Relationship between the Chief and the People

The Chief had always a very vital relationship with his people. The Chief looked after all the villagers as his own children. He had to help them in their achievements and punish them when they were found guilty of misdeeds or

58. Ibid.

59. Shakespeare, J. Op.cit., p. 49.

infringement of established customs. The villagers, in their turn, were to obey his orders implicitly, carry out errands assigned to them individually and collectively and help the Chief in all possible ways. It must, however, be mentioned that the Lushai Chief was not an autocrat, and in fact, could not afford to be so if he desired to retain chiefship as they would leave him and take shelter under a different Lushai Chief in another village if they found him tyrannical or indifferent to their needs and conveniences. The Chief was also fully conscious of this indirect but very potent control on him and to keep himself above reproach transacted the business of his day-to-day administration of the village through his council of elders or Upas.⁶⁰

For a proper understanding of the position of a Chief in relation to his people, Lewin said that:

To illustrate the position of the Chief or President I may mention that in 1866, when on a visit to the village of one of the leading chiefs among the Lusai, I was standing talking with him in the path that ran through the village. While we were thus standing a drunken Lushai came stumbling along, and finding us somewhat in the way, he seized the chief by the neck shoved him off the path, asking why he stopped the road. On my asking the chief for an explanation of such disrespect being permitted, he replied. "On the war path or in the council I am chief, and my words are

60. Interview with Lalmaka, son of Lallula, ex-Chief of Hlimen(s), dated July 22, 1987.

obeyed; behaviour like that would be punished by death. Here, in the village, that drunkard is my fellow and equal." In like manner any presents given to the chief are common property. His people walk off with them, saying: 'He is a big man, and will get lots more given to him,' who will give to us if he does not? On the other hand, all that in his village belongs to the chief; he can and does call upon people to furnish him with everything that he requires.⁶¹

It may thus be said that this made it possible for the Lushais to bring about a balance in the power relation in the society which brought about peace in the society. It is also seen that the relationship between the Chief and the people depended very much on the Chief's role connecting the regulation of the activities of the people as well as the customs which could not be infringed even by the Chief.

Thus, in conclusion, the traditional administration of the village by the Chief was systematically arranged and closely related to absolute monarchy in character. The Chief was all-in-all in the traditional administrative system but in diplomacy and matters relating to external relations with other Chiefs he was assisted by a set of high officials known as Upas. This process continued even after the coming of the British into the Lushai Hills.

61. Lewin, T.H. The Hill Tracts of Chittagong and the Dwellers Therein, (Bengal Printing Press Company, Calcutta, 1869), p. 100.

CHAPTER III

CONSOLIDATION OF BRITISH ADMINISTRATION

IN THE LUSHAI HILLS

Coming of the British

Counteraction Between the Chiefs and the British

Administrative Pattern

Powers and Functions of the Chiefs under

the British Rule

Differences Between the British and Traditional

Administration

role of Political Parties

Coming of the British

From a very early period the Lushai Hills was subject to inroads from the plains of Cachar.¹ It had been a wild country of virgin forests and unfriendly hills. It was inhabited by tribes loosely called Kukis, Lusei and Pawi. The adjacent territory was the Hill Tipperah (Tripura), ruled by another independent Rajah to whom these tribes owed their allegiance.²

The coming of the Britishers into the Lushai Hills may be said to have begun, more or less, with the annexation of Assam by the British.³ Thus, the exploration of the Lushai Hills first started from the west side where Chittagong in Bengal had been a British administrative post. During 1824-25 some rudimentary survey of the Lushai Hills was carried out by a survey party under the command of Captain Hedgekins and Lieutenant Sandis. During the first Burmese war the Burmese and the Arakan forces also went inside the Lushai Hills.⁴ According to T.S. Luaia, "in the later part

1. Mackenzie, A. The North-East Frontier of India, (Mittal Publication, Delhi, 1981, Reprint), p. 287.

2. Thanga, L.B. Op.cit., pp. 108-109.

3. Ibid.

4. Ray, Animesh. Op.cit., p. 3.

of 1824, a group of enterprising traders from the plains penetrated into the Lushai Hills along the Dhaleswari river. These traders were ambushed and most of them had been killed."⁵

Counteraction between the Chiefs and the British

The Lushais were a fierce tribe and opposed to the coming of the Britishers and other tribes into the Lushai Hills. They counteracted with them several times. The Lushai Chiefs were the main opponents to the Britishers. The British authority could not easily establish its supremacy over the Lushai Hills as the Lushais got accustomed to the use of firearms since the first Burmese war. Besides, the Lushai Chiefs also entertained a large number of Burmese soldiers to train the fighters or warriors.⁶ The Lushais not only attacked the Britishers but also raided the villages which were set up by the run-away tribes in Cachar and Sylhet. These tribes were the main targets of attacks by the Lushais. The Lushai raids in the neighbouring territories were recorded in the British administration in these areas.⁷ These

5. Interview with T.S. Luaia, ex-Upa of Lungdai village, dated May 29, 1985.

6. Judicial Proceedings of Bengal, February 27, 1850, No.36, Lister's Report.

7. Most of the raids are described by A. Mackenzie in History of the Relations of the Government with the Hill Tribes of North East Frontier of Bengal, (Home Department, Calcutta, 1844).

raids were considered by the Lushais as wars and successful raids elevated the prestige and position of the Chief.

On April 16, 1844, the Lushai Chief Lal Suktlaa raided Kochabari, a Manipur village in Sylhet border and killed twenty people and took away six captives. The Sylhet Light Infantry under the command of Captain Blackwood was despatched inside the Lushai Hills. Lal Suktlaa was then captured. But the raids continued. In 1847, the Lushai raided the British territory and killed more than one hundred fifty people. The following year, the Lushais attacked a Kuki village within ten miles south of Silchar and killed twenty-nine people and took away forty captives.⁸

After this raid the British Government despatched a punitive expedition inside the Lushai Hills in order to subdue the Lushai Chiefs and the people as well. Colonel Lister, Commandant of Sylhet Light Infantry and Agent for the Khasi Hills was placed in-charge of the expedition on January 14, 1850. Colonel Lister arrived Sentlang village of Chief Ngura. This village was burnt by Lister's troops on January 16, 1850.⁹ On reaching the Lushai Hills, Colonel

8. Judicial Proceedings of Bengal, May 27, 1844, No. 103. Officiating Magistrate, Mr. Sealy, to the Secretary to the Government of Bengal in the Judicial Department & Mackenzie, A. Op.cit., pp. 288-290.

9. Mackenzie, A. Op.cit., p. 292.

Lister set forth his recommendation for future action to the Government and said thus:

The Lushais are a very powerful tribe under the Government of six Sirdars, of whom one is the acknowledged chief. They all have their separate cantonments with a number of dependent villages attached. In these cantonments the fighting men reside: in the dependent villages are located their ryots, who are merely used as coolies, and for tilling the soil. They consist, in many instances, of the captives they have brought away in their probably taken as mere children and gradually reconciled to their captivity.¹⁰

Colonel Lister was further asked to enter into negotiations with the leading Lushai Chiefs in order to establish friendly relations with them. But the proposals were politely turned down. However, upto the beginning of 1862, Sylhet and Cachar were tolerably free from disturbances.¹¹

On January 22, 1862, a cluster of villages called Adampore in Cachar were raided and a large number of inhabitants massacred and carried off. The attack on Adampore was led by four Chiefs, namely Mischoey (Ngurchuailova); Lookpilall (Suakpuilala); Rungbhoom (Runvunga) and Lal Hoolien (Lalhuliana).¹² An expedition was therefore sent from Cachar into the Lushai Hills to punish the offending Chiefs.

10. For details, see Lister's Report to the Secretary, Government of Bengal, Judicial Proceedings, February 27, 1850, No.36.

11. Thanga, L.B. *Op.cit.*, p. 113.

12. Judicial Proceedings of Bengal, April 1863, Nos. 374 to 379.

The Government decided to open negotiations and to return the captives. Accordingly, Captain Stewart, the then Deputy Commissioner of Cachar, negotiated with Chiefs and came to terms that they would keep peace in the British frontiers and would give certain articles to the British Government as tributes and in their turn the British Government would pay Rs. 50/- a month to each of the Chiefs, subject only to an annual nuzzar to Government.¹³

However, even after such agreement was arrived at, the Lushai Chiefs did not stop raiding the British territory in the neighbouring areas. The British Government then decided to post an officer in the Lushai Hills for the purpose of entering into agreements with the Lushai Chiefs to refer all disputes between them and the frontier villages to him for arbitration. This step was to bring some sort of supervisory control over the Lushai Chiefs.

Thus, as part of a new policy, negotiations with Lushai Chiefs were attempted by the British Government. In December 20, 1869, Mr. Edgar came into the Lushai Hills with a view to making negotiation with the Chiefs. By late 1869 and in the beginning of 1870 there was an agreement regarding the boundary between Cachar and the territories

13. Mackenzie, A. Op.cit., p. 299.

of the Lushai Hills. Mr. Edgar met Suakpuilala, and the only Sanad of the British Government in the Lushai Hills was executed by Edgar and Sookpilal (Suakpuilala).¹⁴ But this agreement did not prevent the raids by the other Lushai Chiefs.

On January 23, 1871, the Lushais under the leadership of Chief Bengkhuaia raided and plundered the Cachari village of Ainerkhal. In this raid, twentyfive persons were killed and thirtyseven persons were taken as captives. On the same day, the Chief Bengkhuaia attacked a tea garden at Alexandrapur in Cachar. The people at Alexandrapur were taken completely by surprise. Mr. Sellar, the proprietor of the tea-garden could manage his escape while his neighbouring planter, Mr. Winchester was brutally killed by a gun shot and his little daughter, Mary Winchester, was carried off. On the following day, the tea garden at Katlicherra was again attacked.¹⁵

Thus, on July 11, 1871, the Governor-General-in-Council decided that armed expedition should be made into the Lushai Hills. The expeditionary force was divided into Cachar

14. Shakespeare, L.W. History of the Assam Rifles, (MacMillan & Co. Ltd., London, 1929), pp. 29-30.

15. Ibid., p. 67. Judicial Proceedings of Bengal, January 1872, No. 141 and see also Judicial Proceedings of Bengal, February 1872, No. 106.

column under the command of Brigadier General G. Bouchier C.B. and the Chittagong column under the Command of Brigadier General C.H. Brownlow C.B., Staff Corps. This expedition created trade relationship with the Lushai Chiefs by establishing bazars (markets) in the Lushai Hills. A few years of peace prevailed after the expedition of 1871-72 and trade flourished.¹⁶

In December 1888, some Lushai Chiefs attacked a village near Demagiri and took away a large number of people as captives. To retaliate, a punitive expedition was again sent into the Lushai Hills under the command of Colonel F.V.W. Tregear with Captain J. Shakespeare as the Intelligence Officer.¹⁷ On reaching the Lushai Hills, Tregear held a Durbar in which some Chiefs gave undertaking of loyalty.

In 1889-90, another expedition was despatched to punish the tribes that raided and committed depredations in the British territory; secondly, to subjugate the tribes; thirdly, to explore the country lying between Chittagong and Burma, and lastly, to establish posts in the regions visited so as to ensure complete pacification and recognition of British power.¹⁸

16. Shakespeare, L.W. Op.cit., p. 30 and Mackenzie, A. Op.cit., pp. 310-315.

17. Report on the Lushai Expedition of 1889-90, (Intelligence Branch, Quarter Master General's Department, Simla, 1893).

18. Ray, Animesh. Op.cit., pp. 9-10.

While the expeditionary forces were in progress, the Government felt that mere occupation of certain parts of the hills by a police force would not keep the area under control and suggested the posting of an officer who would be capable of habituating the Lushais to the control of the British Government. The Government appointed Captain H.R. Browne as the Political officer in the North Lushai Hills. The Political Officer was asked to establish political influence and control over the Lushais and to induce them to submit to the British rule. He was also asked to attempt administration of law and order, excepting punishing raids to the British friends and to leave the inhabitants to settle their own affairs among themselves.¹⁹

On January 12, 1890, D.R. Lyall proposed that the entire Lushai Hills should be taken over and placed under the Bengal Government.²⁰ It was thus decided that the South Lushai Hills should form a district under the Bengal province and the North Lushai Hills would be under the Government of Assam. The South Lushai Hills became a district in 1891 and was placed under the Superintendent.

19. Reid, Sir Robert. History of the Frontier Areas Bordering on Assam from 1883-1941, (Government of Assam, Shillong, 1942), pp. 13-15.

20. Assam Secretariat, Political and Judicial, A. Foreign Progs. August 1890, No. 41.77.

Thus, from 1891 the period of consolidation of the British administration may be said to have began²¹ when it was annexed to British India. In April 1891, Captain J. Shakespeare held charge of the South Lushai Hills and could therefore be able to consolidate the British rule in the hitherto unadministered area of constant raids and warfare. In 1896, Shakespeare observed that there was no likelihood of any resistance to British rule in the future and hence it was necessary to give up the strong coercive measures taken so far in favour of gentle rule.²² It was to be noted here that the British Government could only consolidate its administration in the Lushai Hills after sending a series of punitive expeditionary forces.

Administrative Pattern

Since the period of frictions and resistance came to an end, the Lushai Hills were formally included in British India. The administration of the future Lushai Hills was then the subject of active discussion among the British authorities. The Britishers entered into the Lushai Hills to check the border raids. But the British authority did not look upon the Lushais as merely criminals. The British Government had a clear policy towards the Lushai Hills.

21. Thanga, L.B. Op.cit., p. 157.

22. Report on the Administration of the South Lushai Hills for the year 1895-96, (Government of Bengal, Calcutta, 1896).

According to A. Mackenzie,

conciliate these savages (Lushais) if you can. Be persistent in demanding surrender of murders but endeavour so to approach the tribes, that a basis may be opened for friendly intercourse in the future.²³

It is thus clear that the British wanted a friendly relationship with the people of the Lushai Hills. The British policy towards the Lushai (Mizo) Hills was best described in the words of one of the first British Officers.

I always held the chiefs of villages responsible for the behaviour of the people, and upheld their authority in the best of my ability. I have repeatedly told them this policy would be consistently followed, and that as long as they behave themselves as they should, their orders will not be interfered with even though the orders may appear to as at times a little highhanded, and not quite in accord with abstract ideas of justice.²⁴

Again, the British policy of indirect administration in the Lushai Hills was more or less similar to that existed in the British Colonies in Africa which had the following features - the unity of the existing ruling groups was maintained; the hereditary Chief was recognised as the local authority of administration and subsequently, as a

23. Quoted by Suhas Chatterjee, op.cit., p. 182.
A. Mackenzie, op.cit., p. 369.

24. Barpujari, H.K. Problems of the Hill Tribes: North East Frontier, Vol. III, (Spectrum Publications, Gauhati, 1981), p. 108.

step to democratise the native authorities, representative councils were attached to them.²⁵ On September 6, 1895, the South Lushai Hills was placed under the administration of the Lieutenant Governor of Bengal. Under the same proclamation, the North Lushai Hills came under the jurisdiction of the Chief Commissioner of Assam.²⁶ In South Lushai Hills, Shakespeare was appointed the Superintendent with headquarters at Lungleh (Lunglei) and Porteous continued his service in the North Lushai Hills as the Political Officer with headquarters at Aijal (Aizawl). For the time being no drastic change was made in the administration and the existing set up that had been followed since 1890 was allowed to continue.²⁷

For the first few years the North Lushai Hills formed a part of Assam whereas the South Lushai Hills was made a district within Bengal. Meanwhile there was an idea of amalgamating the two administrative units into one and bring it under Assam. The Chin Lushai Hills Conference held at

25. Ray, Animesh. Op.cit., pp. 39-40.

26. Proclamation No. 1697-E, dated Simla, September 6, 1895, and Proclamation No. 1698-E, dated Simla, September 6, 1895, Governor General of India in Council, Foreign Department.

27. Chatterjee, Suhas. Op.cit., p. 122.

Calcutta on January 29, 1892,²⁸ recommended that the North and South Lushai Hills should be amalgamated and placed under Assam administration.²⁹

There had been no objection in the proposal of amalgamation of the North and South Lushai Hills district into one unit, but the Government did not take any prompt action in this regard. As such, another Chin-Lushai Conference was held at Lungleh (Lunglei) in December 1896, and resolved that amalgamation of the two administrative units into one should in any case not be postponed beyond April 1, 1898.³⁰

While informing the Government that there was a system which the Lushai understood and were accustomed to and which worked well in the past, Shakespeare, an experienced Political Officer of the North Lushai Hills who had very good intimate knowledge of the Lushais, suggested certain positive administrative principles to be adopted. What he suggested was the retention of the existing system, that is, rule by the Chief. According to Shakespeare, for ensuring smooth

28. Bengal Secretariat, Political, A. April 1892, Nos.55-60, File L/36.

29. For details, see India Foreign Department (External) (hereafter I.F. Ex), Proceedings, September 1892, No.56. Report by H.M. Durand, Secretary, Foreign Department, Government of India, dated Simla, July 5, 1892, letter No. 1383 E.

30. Sangkima, "Society and Social Changes of the Mizo (1890-1947): A Historical Study", Ph.D. Thesis, Gauhati University, 1985, p. 130.

administration each of the successive political officers should conscientiously apply himself with tact and intelligence to gain the friendship of the Chiefs and to guide them in the way they should go.³¹

Finally, the Governor-General of India in Council accepted the proposed amalgamation. On April 1, 1898, the South Lushai Hills district and the North Lushai Hills district were amalgamated into one administrative unit known as the Lushai Hills District.³² The administration of the new amalgamated district was vested in the Chief Commissioner of Assam,³³ the Superintendent of the Lushai Hills, the Assistants and also in the Chiefs. The Chiefs were held responsible for the behaviour of their people while the Superintendent and his Assistants were to uphold the authority of the Chiefs to the best of their ability.

On formation of a new amalgamated district, the Officer-in-Charge was designated as Superintendent. Accordingly,

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31. J. Shakespeare's Letter No. 300 dated Aijal, July 13, 1897, to the Secretary to the Chief Commissioner of Assam.
 32. I.F.Ex.A. Proceedings, February 1898 No. 97. Secretary, Government of India to the Chief Commissioner, Assam, dated July 27, 1898.
 33. Assam Secretariat Record (hereafter ASR) Foreign A. May 1898, Progs. No. 46.

Major J. Shakespeare was appointed to be the first Superintendent of the Lushai Hills.³⁴ On taking over the charge of the new district, Shakespeare started the task of consolidating the administration at the ground level. The Lushai Chiefs also did their best in cooperating with the district administration. It might be said here that the Government (district administration) depended upon the goodwill of the Chiefs. According to the provision of Land Settlement made by Shakespeare in 1898-1899, each Chief was granted a certain area of the Lushai Hills within which he and his people were allowed to move about freely.³⁵ This settlement removed the causes of dispute regarding land among the Chiefs. The Chiefs were freed from the fear of encroachment. Again, this settlement made the Chiefs and people to feel that under the new administration they were still enjoying the same set-up they had before. Thus, this settlement may be said to be the most intelligent administrative measure devised by Shakespeare.

In 1901-02, an important event was the introduction of the new system of "Circle Administration."³⁶ The whole

34. Government of Assam Proclamation No. 977, p. 25.

35. Chakraborty, B.C. British Relations with the Hill Tribes of Assam since 1858, (Calcutta, Reprint, 1964), p. 80.

36. Administration Report of the Lushai Hills for the Year 1901-02, (Assam Government, Shillong, 1902), p. 2.

district was divided into 18 Circles: 12 in the Aijal (Aizawl) Sub-division and 6 in the Lungleh (Lunglei) Sub-division. Each circle was placed under a Circle Interpreter. An Interpreter was a channel between the Chief and the people on the one hand, and the Superintendent on the other.³⁷ This new system of administration was, however, modified as the posting of the Circle Interpreters undermined the authority of the Chief. Instead of posting of an Interpreter to a certain village, the Interpreter would visit his Circle every three months to inspect statistical returns and convey orders as required.

The Superintendent left the administration to the traditional Chiefs and he would step in only when there was threat to peace or in case of tyrannical action by a Chief resulting in gross injustice. Even maintenance of law and order was left to the Chiefs.³⁸

In the administration of the hill areas, including the Lushai Hills, the British authority was intensely concerned with the protection of the frontiers. The boundaries of the plains district of Assam with neighbouring hill areas inhabited by the independent tribes were determined

37. Reid, Sir Robert. The Lushai Hills, (Firma KLM Pvt Ltd., Calcutta, Reprint, 1978), p. 61.

38. Ray, Animesh. Op.cit., p. 29.

by an imaginary line called the 'Inner Line'. Under Section 2 of the Bengal Eastern Frontier Regulation of 1873, the Governor-General-in-Council notified the 'Inner Line' on the southern frontier of the Cachar district. Under the provisions of the above section the Government drew a line to be called the 'Inner Line' in each of the tribal areas beyond which no British subject or certain classes of foreigners could pass without prior permission from the Deputy Commissioner.³⁹ The Inner Line Regulations still exist in Mizoram and continue mainly to prevent economic exploitation and the loss of ethnic and cultural identity.

By the Act of 1919, the Governor-General-in-Council declared the Lushai Hills as a 'Backward Tract'. The Secretary of State in Council could declare any British territory to be a backward tract and could also apply the Act to the backward tracts with modification as he found necessary.⁴⁰ The subject of backward tracts was kept as a reserved subject of the Governor's special interest. As such, the popular ministry in Assam did not have any authority regarding the administration of the Lushai Hills. However, only one Governor, Sir Robert Reid took personal interest in the hill

39. Foreign Department Notification No. 2299 P, dated August 20, 1875, Assam Gazette, September 11, 1875, Part 1B, p. 1882.

40. Section 52 A(2) of the Government of India Act, 1919.

areas and visited the Lushai Hills twice during his five years of Governorship of Assam. His visits were after an interval of thirteen years during which no Governor visited the Lushai Hills.⁴¹

Before 1920, there was no representation of the hill areas in any Legislature. However, after 1920 the hill areas were represented by a nominated member in the Assam Legislative Assembly. The Indian Statutory Commission popularly known as the Simon Commission considered the representation inadequate⁴² and discussed the constitutional position of the hill areas. There was also a great debate on this issue especially regarding the inclusion or exclusion of the hill areas in the reformed Constitution. The Government of Assam told the Simon Commission that, in the interest both of the backward tracts and the rest of the province, the present artificial union should be ended. The backward tracts should be excluded from the province of Assam and be administered by the Governor-in-Council, as an agent of the Governor-General-in-Council at the cost of the central revenues.⁴³ The suggestion was based on the recommendation of J.H. Hutton,

41. McCall, A.G. Op.cit., p. 238.

42. Report of the Indian Statutory Commission, Vol.1, p.160.

43. Government of Assam, Memorandum, p. 101, quoted by S.K. Chaube, Hill Politics in N.E. India, (Orient Longman, Calcutta, 1973), p. 19.

the then Deputy Commissioner of Naga Hills district, that in the interest of the plains districts the hill districts should be withdrawn from the reformed Constitution altogether and that as soon as possible.⁴⁴

In the light of suggestion, the Simon Commission envisaged the exclusion of all the Assam Hills except possibly the Khasi and Jaintia Hills District, though the Excluded Areas were not to be treated as minor administration entirely outside the borders of Governor's province. Thus, the Lushai Hills became an "Excluded Area" in 1936, under the Government of India Act, 1935.⁴⁵

The term 'excluded' here implies that Lushai Hills is outside the control of the Provincial Legislatures, responsibility to Parliament for its administration vesting in His Excellency the Viceroy as Crown Representative, who has empowered, on his behalf, His Excellency the Governor of Assam, as Agent to the Crown Representative, to administer the Lushai Hills.⁴⁶

The Governor, through his Agent (Superintendent) carried on the administration of the Lushai Hills district from 1937 to 1947, acting independently of the Government of Assam, with a separate Secretariat and assisted by the

44. Ibid.

45. Government of India (Excluded and Partially Excluded Area), Order 1936, dated Buckingham Palace, March 3, 1936.

46. McCall, A.G. Op.cit., p. 238.

Secretary to the Governor. Till 1947, the administration through the traditional Chiefs continued with adaptations and adjustments necessitated by the circumstances.

Since the Lushai Hills was declared as an Excluded Area, no laws could be applied to the area either by the Government of India or the provincial Government of Assam. The British authority left the internal administration to the Chief and his council of ministers who ruled the district according to the customary law of the land. The Chiefs in return recognised the British Government and its representatives. The Superintendent was authorized to interfere with the administration of the Chiefs only when they (Chiefs) went beyond their jurisdiction as prescribed by the British law. The Superintendent was the official head of all departments in the Lushai Hills district. In fact, all the powers were vested in his hands.⁴⁷

Powers and Functions of the Chiefs under the British Rule

When the British took over the Lushai Hills, there were about sixty Chiefs but the number arose to more than four hundred as the British Government appointed a large number of new Chiefs.⁴⁸ According to T.S. Luaia, an ex-Upa,

47. Baveja, J.D. Op.cit., pp. 74-75.

48. McCall, A.G. Op.cit., p. 245.

the British authority appointed some persons to be Chiefs in different villages. To cite an example, Hrawva was an appointed Chief who ruled over Venghlui area. Likewise, Van-khuma and Vanhnuaia were the British appointed Chiefs at Chhim Kolasib and Thingdawl villages respectively. In short, almost all the Chiefs, after the coming of the British, were recruited by them directly, either from the Chief clans or commoners. The Chiefs who were taken from the commoners were called Hnamchawm Lal. When the Chief died or became unable to rule, the British would select or appoint another suitable person to be Chief.⁴⁹

The occupation of the Lushai Hills by the British did not bring any apparent change in the traditional administrative system. The British felt the necessity of retaining the chieftainship for the maintenance of the internal administration of Lushai Hills. In fact, the Chiefs constituted the foundation on which the edifice of the British rule was erected.⁵⁰ The British thought it expedient for the sake of their own administration of the Lushai Hills to invest the Chief with real power and allow him to run the administration of his village as large as measure of autonomy as practicable. The British policy of non-interference in the village customs as also in the decisions taken by the Chief paid a rich dividend in the shape of smooth administration without much expenditure in the difficult terrain of Lushai Hills. The British used the Chief's traditional

49. Interview with T.S. Luaia, ex-Upa, dated May 29, 1985.

50. Ray, Animesh. Op.cit., p. 30.

authority over the people to legitimise their rule. In fact, the Chiefs were made the representatives of the British authority in their own land. The Chiefs became more powerful under the British rule, but in practice they were subordinated to the British authority even in customary matters.⁵¹

Even after the occupation of the Lushai Hills by the British, the Chiefs could still continue to run the administration of the village. The Chief had the same village officials as he had before the coming of the British. Though the British Government did not interfere in the internal administration, it had brought about some changes in the traditional administrative system and also in the prerogatives enjoyed by the Chief and his officials.

While retaining the council of Upas, the British Government fixed the number of Upas to be appointed by the Chief in the village, that is, 10 to 30 houses would be having two Upas while 40 to 60 houses got four Upas, and so on. The number of Upas depended thus upon the number of houses - if there were four hundred houses in a village, fourteen Upas would be allotted.⁵² Under the British rule,

51. Chatterji, N. Op.cit., p. 5.

52. McCall, A.G. The Lushai Hills District Cover, (Tribal Research Institute, Aizawl, 1980, Reprint), p. 137.

the Upas were exempted from Impressed Labour⁵³ which was imposed upon the villagers.

Under a settled rule, the Ramhual and Zalen were not at all a social necessity and became heavy burdens for the public. The public (commoners) levelled several points of attacks against the Ramhual and Zalen through the Mizo Union which, as the first ever political party in the Lushai Hills, acted as the representative body of the commoners. The President of the Mizo Union said that Ramhualship and Zalanship were not at all a social necessity, they were great nuisance to the general public in the growing society like Mizos. It was only a means to provide divide and rule for the Chiefs or Lal.⁵⁴ Considering the problems created by the Ramhual and Zalen to the public, Barkataki, ICS, Superintendent of the Lushai Hills, issued an order:

Henceforth village officials rendering public service namely, the chief, Upas, Khawchhiar, Thirdeng and Tlangau according to the scales laid down at page 118 of the District cover, and one Puithiam in a village in which a Puithiam is actually existent, shall only be entitled to claim priority in the choice of

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53. Government Notification No. 2530(a) A.P. of 27.3.1937. Every Chief and Headman shall be bound to supply labour on requisition of the Superintendent or his Assistants at such rates of payment as may be fixed by the Superintendent with the sanctions of the Governor.
54. Mizo Union President's Letter to S. Barkataki, Superintendent of the Lushai Hills, No. D.O. 19/A of 11.5.1949, Aijal.

jhuming land. There shall be no Ramhuals and Zalens.⁵⁵

Even before the annexation of the Lushai Hills by the British, the Chief could have more than one Thirdeng or blacksmith. After annexation, the Chief was not allowed to have more than one Thirdeng in his village. Not only this, the Government restricted the Thirdeng from claiming the choice of jhum land (enjoyed before the British) except when a Thirdeng was also the Upa.⁵⁶ The Thirdeng was exempted from impressment of coolie labour.

The Tlangau or village crier still enjoyed the rights and privileges even under the British administration. He was exempted from coolie labour.⁵⁷

For an easy administration the Government created a new post of Khawchhiar or village writer in addition to traditional village officials. Being appointed by the Government the Khawchhiar was really a Government official. He was an important link between the Chief and the Government. He kept important registers, statistics, house list and

55. Standing order No. 8 of 1951, No. G.O. 10/51/42 dated Aijal, September 25, 1951.

56. Standing Order No. 14 of 1952, No. 8749-9994, dated Aijal the September 3, 1952 and No. 258 of 26.4.1948, Parwana Copy Book, P. Circle File, C. VIII, Aijal.

57. McCall, A.G. The Lushai Hills District Cover, op.cit., p.137.

a list of guns in the village. He was exempted from coolie labour and payment of house tax. He was also entitled Lo duh thlan or choice of jhum land.⁵⁸

Regarding the powers and functions of the Chief, D.R. Lyall suggested that the Chief should be responsible for the safety of frontier policeman, dak-runner and telegraph officials in the rural areas. He should make roads round the village and maintain and improve the same. Collection and payment of tax should be in the hands of Chief.⁵⁹ The Chiefs are held responsible for the behaviour of their people and the Superintendent and his Assistants will uphold the authority of the Chiefs to the best of their ability. All litigations should be discouraged and appeals should not be admitted against the orders of Chiefs in petty cases.⁶⁰

Thus, under the British rule, the Chief was responsible for the control of his village in every way. He should maintain friendly relation with his villagers and standard of living and help them in all possible ways. The Chief was responsible for allotment of cultivation and for maintenance of inter-village paths and the communication. He should

58. Shakespeare, J. Op.cit., pp. 43-44 and Parry, N. E. Op.cit., p. 1.

59. A.S.R., Political and Judicial, Foreign A. August 1890, Nos. 47-77. D.R. Lyall's suggestions to the Bengal Government, January 12, 1890.

60. Government Notification No.2530(a) A.P. dated March 3, 1937.

dispose off litigation in accordance with the District Rules for the disposal of Civil and Criminal justice. The Chief should supervise the work of his Khawchhiar. At the same time the Chief should see that whether the Khawchhiar maintained a list of gun-holders in his village or not. Thus the Lushai Chief was responsible for ensuring that records were kept of the following matters: (a) all births and deaths, (b) all movement of people into or out of village, and (c) all changes in licensed guns. This information would be kept in a book by the Khawchhiar of each village under the Chief's order. In either of the following cases the Chief was required to send special messenger to the Circle Interpreter who would pass it on to the Superintendent: (a) in case a person was killed or severely wounded, either accidentally or intentionally by another person, and (ii) if any discharged sepoy or foreigner arrived without a pass.⁶¹

The British authority empowered the Chief and his Upas to deal with all types of cases except murder and rape which had to be reported to the Superintendent. In dealing with cases the Chief and Upa were entirely guided by custom. All the cases tried in the Chief's court should be recorded by the village writer.⁶²

61. McCall, A.G. The Lushai Hills District Cover, Op.cit., pp.

62. Parry, N.E. Op.cit., p. 7.

By recognizing the administrative and judicial functions performed by the Chiefs, the British authority allowed the Chiefs to continue to exercise a number of rights and privileges. For the first time, the Chiefs were given the boundary paper or Ramrilehkha of his village and thus the territorial jurisdiction of each village was recognised by the British. The land was hereditary and subject to confirmation of the Superintendent. When a Chief died, his son succeeded to his land.⁶³

After the occupation of the Lushai Hills by the British, the Chief still enjoyed the right to paddy tax. But the Superintendent introduced uniform rate of payment of paddy tax to the Chief. (Rate of payment of paddy tax varied from village to village). Cultivators would pay paddy tax, that is, six kerosene tins of paddy to the Chief while non-cultivators should pay Rs. 2/- as Fathang. The Superintendent issued an order to that effect that - non-cultivators except those who are exempted under existing orders, that is, Upa, Puithiam, Zalen, Khawchhiar, Thirdeng and Tlangau, will pay cash Fathang of Rs. 2/- to the Chief in whose land they reside.⁶⁴

63. Order in connection with boundary paper was issued by the Superintendent, Lushai Hills on December 22, 1924, Aijal.

64. Standing Order No. 12 of 20.6.1949, Memo No. 3470-736 G of 20.6.49, Aijal.

Meat tax was also enjoyed by the Chief after the coming of the British. Paying meat tax to the Chief and the Thirdeng became a burden for the villagers and as such it was abolished on October 28, 1951.⁶⁵

The Chief enjoyed salt tax and honey tax till the abolition of the institution of chieftainship in 1954.

Construction of Chief's house with free labour was enjoyed by the Chief after the British occupation of the Lushai Hills. But this became a burden to the public with the increasing power of the Chief under the British authority. Some Chiefs abused their power and ordered their villagers to contribute building materials for house construction of the Chief. This was prohibited by the Superintendent. The Chiefs must not raise subscriptions from their villagers to build corrugated iron roofed houses. The villagers must, however, according to custom build the Chief a large Lushai house and repair it free of cost.⁶⁶

The British authority imposed certain limitations on the Chiefs' rights which greatly weakened the traditional authority of the Chiefs. The British suspended traditional

65. Interview with Khuma, ex-Thirdeng, dated December 2, 1988.

66. McCall, A.G. The Lushai Hills District Cover, Op.cit., p. 27.

rights of the Chief like for example, the right to order capital punishment, right to seize food stores and property of the villagers, proprietary right over land, right to tax traders, right to freedom of action in relation to making their sons Chiefs under their own jurisdiction, right to freedom of action in relation to Bawis and right to attach the property of the villagers.⁶⁷

According to McCall, the early and precipitate extinction of some of the rights pulverised the Chiefs before their people. This lowering of the status of the Chiefs and the continued rule of the Chiefs over their people did not really help the village administration.⁶⁸

When the British took over the administration of the Lushai Hills, it abolished two of the three types of Bawi system namely, Chemsen bawi and Tuklut bawi. Inpuichhung bawi continued to exist till 1911 when it was abolished. As the Inpuichhung bawi still existed, there was the bawi controversy in 1910-11.⁶⁹ During this period there was a legal battle between Fraser, a medical missionary and the British authority in the Lushai Hills. Since the slave system

67. McCall, A.G. The Lushai Chrysalis, Op.cit., p. 202.

68. Ibid.

69. Ibid., p. 121.

was not practised in the British empire, Fraser argued for the abolition of the Bawi system in the Lushai Hills as well. Ultimately, the Bawi system was completely done away with in 1911. As a result, Fraser was not allowed to stay in the Lushai Hills and H.W.G. Cole, the then Superintendent, was also transferred to Manipur as a political Agent.⁷⁰

Last but not the least, the British administration brought about a change in the mode of succession to chieftainship. Under the British rule, the youngest son would inherit only the property of his father - Chief whereas the office of chieftainship would go to the eldest son.⁷¹ This change was made by the British because of the fact that the number of Chiefs increased as the sons of the Chiefs were appointed to be the subordinate Chiefs in the newly established villages or Khawper in the periphery of the Chief's village or Khawper. In fact, the British did this change in the mode of succession to chieftainship in order to reduce the increasing number of Chiefs. By following the new mode of succession, the Government of Assam issued

70. Lalsawma, Rev. Khawvel Sande Skul Ni, (Synod Publication Board, Aizawl, 1982), p. 10.

71. McCall, A.G. The Lushai Hills District Cover, Op.cit., p. 34.

an order about the succession of Chief's sons in the Lushai Hills.⁷² Since then the eldest son would succeed his father's chiefship.

With regard to change in the mode of succession to chieftainship, Lalhuatthanga, ex-Chief of Hmar Hlimen said that:

McCall, the Superintendent, called a Conference of Chiefs at Aijal. Accordingly, a Conference of Chiefs was held at Government Boys' Middle English School at Aijal in 1936. In this conference the Chiefs had been asked by the Superintendent to adopt either the youngest son or the elder one to be the successor to the father's chiefship. Therefore, the eldest son was selected to be the successor to the chiefship by secret ballot. In this selection, more than ninety five per cent casted votes in favour of the eldest son to be the successor.⁷³

Lalhuatthanga further added that the reason for such change was the fact that the eldest son was preferred to the youngest one as far as training under his father-Chief was concerned. And also, this change happened due to the fact that the British thought the youngest son was physically unfit to shoulder the burden of administration in the village

72. A.S.R. Pol. B., December 1936, Nos 651-62; Notes and Orders Pol/2821 of 1935, Rules regarding succession of Lushai Chiefs. From the Commissioner, S.V. & H.D., 1044 p. dt. 21.11.1935.

73. Interview with Lalhuatthanga, ex-Chief, dated February 7, 1984.

as he was generally too young. In addition to that since the principle of primogeniture was accepted in England, the prevailing mode of succession was not acceptable to the British Government.⁷⁴

Thus, in 1936, the Superintendent of the Lushai Hills drafted the rules regulating succession to chieftainship and the same was approved.⁷⁵ Thus, the eldest legitimate son of a ruling Chief would, unless he was debarred by being a minor or having mental disability, inherit the office of his father-Chief. If the eldest son was too young, the Superintendent could appoint his mother and the customary council as guardians provided the widow observed such customary rules which she must observe according to the Lushai custom. Or the Superintendent might appoint for life the nearest male heir who should ordinarily be the eldest surviving brother of the deceased Chief or the eldest legitimate son of such brother. The nearest male heir who became the Chief on account of the youth of the legitimate heir, held the chieftainship for life and it returned to the original line.⁷⁶ If the Chief died without legitimate sons but only

74. Ibid.

75. A.S.R. No. 308p dated March 31, 1936, Commissioner's letter addressed to the Chief Secretary, Government of Assam and A.S.R. Pol. A. No. 91, dated 5.3.1936.

76. McCall, A.G. The Lushai Hills District Cover, op.cit., p.33.

illegitimate sons or Hmeifa, the succession would be settled on the merit of each individual case.

It was open to a Chief to move the Superintendent to disinherit his son who would normally succeed him. When a request was made, the Superintendent must call for a Panchayat of fellow Chiefs of the same clan. The Panchayat consisted of five members, of whom two were nominated by the Chief - two by the son of the Chief who was threatened with disinheritance and one by the Superintendent. The Superintendent would find out the relevant factors and the same would be referred to the Commissioner for his decision and order.⁷⁷ From this it was clear that the Chief did not possess the right to disinherit his legitimate son from chieftainship except through a Panchayat.

It thus appeared that the powers of the Chiefs in relation to the British authority declined, but their powers over the people were more enhanced. This was partly due to the British policy of non-interference in the tribal affairs. The support which the Chiefs received from the British made them so much power drunk. The British sense of justice abolished some of the rights of the Chiefs which

77. Ibid., and see also A.S.R., Notification Order by the Governor-in-Council, Appointment and Political Department, Political Branch, Diary No. Pol/912.

clearly showed that the Chiefs had misused, if not abused, their rights and powers. Earlier those were sparingly used by the Chiefs.⁷⁸

Thus, under the British administration the Chiefs were looked upon by the people as oppressors for they derived their powers from the British. The British administration had, therefore, upset the power relations between the Chiefs and their people. They thought that the best service their Chiefs could do to the society was for them to step down from powers and make room for other's rule. Not only this, the British authority had also stopped the process of further Lushai's migration by the creation of district boundaries and the Inner Line Regulation Act. This resulted in a certain amount of frustration to the Chiefs who had to channel their urge for further migration towards exploiting their own people. In turn the Lushais were also experiencing a certain amount of frustration due to their Chiefs' highhandedness in dealing with them. This situation emerged because of the changing power structure of the institution of chieftainship during the British rule.

78. Pakem, B. Op.cit., pp. 3-4.

Difference between the British and Traditional Administration

So far as the present study is concerned there was not much difference between the British and the traditional way of administration since the British followed the policy of non-interference in the internal administration of the village. Under the British authority, the Chiefs still carried on traditional administrative functions within their respective villages. The Chief's administration was benevolent in character but there were also autocratic Chiefs.

The British authority tactfully administered the Lushai Hills. Its administration confined its role to maintenance of law and order only and so adopted a policy of non-interference towards the Chiefs. The authority of the Chief remained by and large intact. They were still independent of one another and there was no hierarchy between them.⁷⁹ Again, there was no obvious change in the Lushai administration except that the British Political Officer had power above all the Lushai Chiefs and the law and regulations he enacted were to be obeyed.

The British administration introduced land settlement in 1898 by which the demarcation of land to each Chief was affected within which he and his people could jhum according

79. Bandyopadhyay, P.K. "A Note on authority and influence of the Mizo" In The Tribes of North East India, S. Karotemprel (Ed.) (Vendrome Missiological Institute, Shillong, 1984), p. 425.

to their convenience. Each Chief was given two or more contiguous village sites and well-defined natural boundaries.⁸⁰ This land settlement removed the causes of dispute regarding land. The Chiefs were also freed from the fear of encroachment. Propriety rights of the Chiefs over land were reserved by the Government. Control of jhumming vis-a-vis selection of a plot of land for jhumming in the particular year was left with the Chiefs.

The British authority was to develop the Lushai Hills according to western standards. Western values like law enforcement, reward and punishment, institutions, such as schools, churches and prisons were made. New roads were constructed. Democratic ideas were spread as well.⁸¹

On the other hand, the British administration removed the trace of despotism and ensured the individual liberties on a firm footing. It ensured efficiency in the Lushai polity because the Superintendent was the philosopher, friend and guide always trying to educate the Chiefs into using their powers. The present system also remedied the defect of instability of the Lushai society. Formerly, the men of one Chief

80. Administration Report of the Lushai Hills 1898-1899, Government of Assam, Shillong, 1899, pp. 7-8.

81. Vanlawma, R. Op.cit., p. 43.

could transfer their allegiance to another at will. By stopping this habit, the British Government destroyed the big Chiefs in their fight against each other and a large number of smaller Chiefs were replaced. Those petty Chiefs were powerless to indulge in inter-tribal feuds. This led to peace and stability in the Lushai society.⁸²

Due to the influence of the British authority, the Lushais began to settle down gradually. In place of hunting, agriculture became the mainstay of the Lushai economy.⁸³

Thus, the Lushais gradually gave up their traditional life of the commune and became thorough-going individuals. Thus, within a few years the Lushais made a rapid stride in their advance towards a new social order as well as a new form of government.

It is thus clear that the only difference between the British and the traditional administration was that the traditional administration of the village was like a form of democracy tempered by disposition while the British made use of the services of the Chief to legitimise its rule.

82. Chatterjee, Suhas. Op.cit., pp. 201-202.

83. Ibid.

Role of political parties

The British administration generated a new administrative set up in the Lushai Hills which transformed the Lushais into an educated and cultured race. The introduction of education by the Christian missionaries also brought in the educated elite who were critical of the powers of the Chiefs. On the other hand, the Chiefs wanted the status-quo to be maintained while the educated elite wanted maximum freedom from the Chiefs. However, prior to 1940's no political activity was permitted in the Lushai Hills.⁸⁴

The first instance of concrete political activity in the Lushai Hills dates back to 1925 when a group of persons under the leadership of Telela of Ralte tribe contacted the Superintendent of the District, to initiate changes in the administration, so that they may participate in the Assam politics. The Superintendent was furious at this. Then Telela and Chawnghawia went to Shillong and met Rev. J.J.M. Nichols Roy and aired before him some of the administrative and political difficulties of the people.⁸⁵ After they returned to Aijal (Aizawl), they delivered a few public speeches on the subject. The British authority did not tolerate such political activity. They were therefore arrested

84. Interview with Hrangaia, ex-Executive Member (EM) of the Lushai Hills District Council and Vanlawma, dated March 19, 1983.

85. Goswami, B.B. Mizo Unrest, (Jaipur, Aalekh, 1979), pp. 128-129.

and released the following day after being given stern warning. By doing this, the first attempt of political activity concerning the administrative reforms in the Lushai Hills was thus stamped out by the British administration.⁸⁶

However, in the wake of the rising political activity, R. Vanlawma met A.R.H. McDonald, the Superintendent and asked for permission for the formation of a political party. The permission was granted. Accordingly, the first political party - Mizo Union was formed the same day, that is, April 9, 1946. The aim of the new political party was to improve the political and economic condition of the people and established better relations between the common men and the Chiefs. Because, for some time the relation between the two - the Chiefs and the commoners, were not cordial. But the Chiefs did not join the Party as they thought that their interests were different from that of the Mizo Union.⁸⁷

On September 24, 1946, the first General Assembly of the Mizo Union was held at Kulikawn, Aijal (Aizawl) with the permission of the Superintendent. The General Assembly resolved that in the event of Indian independence, the Lushai

86. Interview with R. Vanlawma, founder General Secretary of Mizo Union, dated the August 4th, 1984.

87. Ibid.

Hills must be included within the province of Assam. It was opposed to the idea of the Lushai Hills being treated as an 'Excluded Area' and wished to be represented in the Assam Legislative Assembly adequately. It also decided that no legislation of the Provincial Legislative Assembly should apply to the Lushai Hills automatically. The internal affairs of the Lushai Hills should be managed by its own legislature. And also resolved that all the areas inhabited by the Mizos should be joined together provided they were contiguous to the Lushai Hills district.⁸⁸

On October 8, 1946, R. Vanlawma, the General Secretary of the Mizo Union demanded that the administration of the villages should be vested, not in the Chiefs only but in the Chiefs assisted by the Upas and that the Upas or the village councillors should be elected by a popular vote. At the same time, he also demanded the abolition of impressed labour. Further, he demanded that the District Conference⁸⁹ should consist of more commoners than the Chiefs.⁹⁰

Another Conference of the Mizo Union was held at Lakhipur, Cachar district on November 21, 1946. This Conference was attended by some Congressmen from Cachar district,

88. Resolutions passed in the First General Assembly of the Mizo Union held at Aijal, September 24-26, 1946.

89. District Conference is discussed in Chapter IV.

90. Interview with R. Vanlawma, op.cit.

and resolved that all the Mizo areas in the Lushai Hills, Cachar district, Manipur State, Chittagong Hill Tracts and other adjacent places should be amalgamated into one unit and designated as the Mizoram district because all these people have a common culture, common language, common religion, geographical contiguity and most important of all is that the area occupies a strategic position from the point of defence. But the Mizoram district should be a part of Assam. The Conference also demanded that the Mizo district should be given widest autonomy and the Mizos must be represented in the Constituent Assembly.⁹¹

At the initial stage, the Mizo Union was not against the traditional Chiefs. By realising the Chiefs as the essential part of their political system, the Mizo Union demanded only that some of the powers of the Chiefs should be curtailed. Thus, began the role of political party in the Lushai Hills. Before 1946, there was no political activity for all practical purposes because the Superintendent frowned upon it.

The Mizo Union wanted to have more commoners' representatives than the Chiefs in the District Conference. This feeling created a problem between the Chiefs and the Mizo Union. Dengthuama, who was one of the founder members of

91. Rao, V.V. A Century of Tribal Politics in North East India 1874-1974 (S. Chand & Company Ltd., New Delhi, 1976), p. 497.

the Mizo Union, said that "our Superintendent had formed a District Conference but the Conference did not really represent the country because the seats were exactly equal for the commoners and the Chiefs." He was afraid a lot of danger would arise upon that basis. The fact that 300 Chiefs would have 20 seats and more than 1.5 lakh people having the same number of seats was a definite injustice.⁹²

By defending their own policies the Mizo Union and the Chiefs began to fight each other. Neither of the two groups would like to submit to the other. Thus, the gap of misunderstanding between the Mizo Union supported by the emerging middle class politicians and the commoners and the Chiefs backed by the Superintendent was becoming wider and wider.

Meanwhile, the Superintendent convened a second meeting of the Chiefs and the commoners on April 16, 1947. The meeting revised the election system and introduced a joint electorate. Every voter was given two ballot papers, one for the election of the representatives of the commoners and the other was for the Chiefs. The voter had no freedom to give his two votes to one person or to the candidates belonging to the same class. That is, he must give one vote

92. Ramdhyani, "The New Naga", The Assam Tribune, Gauhati, February 23, 1958.

to a candidate representing the Chiefs and the other to another representing the commoners. Thus, this system of election allowed the commoners to have voice in the selection of Chiefs' representatives and vice versa. The Chiefs who wished to be elected must be acceptable to the commoners. Being a majority the commoners occupied a position of advantage.⁹³ However, the number of commoners' representatives was not increased as demanded earlier. Thus, the Mizo Union boycotted the District Conference and did not participate even in the election of the second District Conference.⁹⁴

As the Mizo Union was against the district administration, A.R.H. McDonald, Superintendent, passed an order on November 1, 1946, forbidding collection of any fund by the Mizo Union. He said, "Any one pretending to be a representative of the Mizo Union who takes any money from any one saying it is for the Mizo Union will be prosecuted as a cheat."⁹⁵ At the same time, the Superintendent suggested also to Khawtinkhuma the dissolution of the Mizo Union so

93. Rao, V.V. Op.cit., p. 163.

94. Interview with C. Pahlira, ex-President of Mizo Union, dated October 1989.

95. Superintendent's Order No. 9190-413 G of November 1, 1946.

that peace in the district might not be disturbed. However, Khawtinkhuma disagreed to this suggestion. He thought that such a step would aggravate the situation. The best and the wisest step, wrote Khawtinkhuma, for the country would be that all bans imposed upon the Union should be lifted ... so long as there is any appearance of any restriction on the union, however, slight it may be ... real understanding between the Chiefs and their villagers is doubtful.⁹⁶

Thus, the gap between the Superintendent and the Mizo Union on the question of representation became more acute which divided the opinion of the people at the crucial time of the Advisory Committee's visit to the district. The Mizo Union was represented in the Bardoloi Sub-Committee by Ch. Saprawnga and Khawtinkhuma who were co-opted members. This led to a dispute as the Superintendent thought that the District Conference alone represented the popular will of the district.

The Mizo Union continued with its demand for autonomy within India. The Mizo Union labelled the United Mizo Freedom Organisation (UMFO) as the supporter of the Chiefs, because its President, Lalmawia, happened to be the son-in-law of one of the Chiefs. Since the Mizo Union was against the

96. Rao, V.V. Op.cit., p. 499.

Chiefs, the Chiefs were compelled to incline towards the United Mizo freedom organisation. The Mizo Union was quick at taking advantage of this situation. Songs, deriding the UMFO and its President were composed in keeping with the Lushai practice of composing such songs against one's enemies. This boosted the morale of the Unionists so much so that in many villages they staged demonstrations against the Chiefs and the UMFO. In many villages they went to the extent of damaging the kitchen gardens of the Chiefs' supporters and stoned their houses as well. This created hatred and perpetual enmity between the unionists and their opponents.⁹⁷

Again, many songs were composed which insulted the Chiefs and their officials. One of the songs run thus -

Zalen, Ramhual a ngai tawh lawng,
 Union - in Kawng dal a ti che.
 Tun chinah bang tawh rawh.

This song means that as the Unionists considered the Chiefs and their officials, that is, Ramhual, Zalen etc., as the stumbling block to the way of people's freedom, they asked them to resign themselves.

The Unionists therefore warned the Chiefs that if they continued their administration which opposed to the

97. Pautu, S.H. "Separatist Politics in Mizoram," M.Phil. Dissertation, NEHU, 1983, pp. 28-29.

will of the people they would do so at the peril of their own life.

To counteract the activities of the Mizo Union, the Chiefs set up their own Council. They had a number of meetings and decided to take action against the Unionists and the commoners. Since the Government supported the Chiefs, they were able to fight the unionists with all the might. According to Dokhama, "Lalrina, Chief of Kelsih, had beaten many people and some of whom were sent to jail."⁹⁸ But the opposition to rule by the Chiefs continued even after the end of the British rule in 1947.

In their keenness to ensure early abolition of chieftainship, in 1947, the Mizo Union became an associate of the Congress when it received the promise of support of Congress towards the abolition of chieftainship.⁹⁹ The Mizo Union pressed the Assam Government hard for a legislation for abolishing the institution of chieftainship. In pursuance of their demand, the Mizo Union launched a civil disobedience movement which resulted in riotous assaults on the Chiefs and their supporters. This civil disobedience movement almost paralysed the district administration. N. K. Rustomji, Governor of Assam, visited the Lushai Hills in January 1949 and said that,

98. Interview with Dokhama, ex-Upa, dated August 7, 1984.

99. Chaube, S.K. Op.cit., p. 107.

the administration was on the verge of collapse and the authorities must at once intervene to protect the lives and properties of the Chiefs who had served for generations, as the bulwarks of Government.¹⁰⁰

The Mizo Union, however, continued to press the Government of Assam to do away with the various privileges of the Chiefs till the abolition of the institution of chieftainship.

100. Rustomji, N.K. Enchanted Frontiers: Sikkim, Bhutan and India's North Eastern Borderlands, (Oxford University Press, London, 1971), p. 97.

CHAPTER IV

DISTRICT COUNCIL ADMINISTRATION

Formation of the District Council

District Council and the Institution of Chieftainship

Composition, Powers and Functions

of the District Council

Relationship Between District Council

and State Government

Differences Between the District Council Administration,

Traditional Administration and District Administration

Formation of the District Council

Political awakening among the Lushais may be said to have started just after the British authority had established its suzerainty in the Lushai Hills.¹ The British Government made little effort to bring out the Lushais from the morass of social, economic and political underdevelopment. At the same time, the British Government recognised the existing hereditary Chiefs as the local authority of administration.² For an efficient and easy administration of the Lushai Hills, in 1939, a Chiefs' Conference, later renamed as the Chiefs' Council, was formed. This Council was supposed to act as a consultative body to the government on customary laws, hereditary principles of the ruling Chiefs and all matters relating to the administration of the Lushai Hills.³

Formation of a Chiefs' Council created a sense of co-ordination of activities among the Chiefs and as such some of the Chiefs became oppressive towards the people.

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1. Interviews with Vawnluta, ex-President, Village Council of Sialsuk, dated the April 6, 1985.
 2. Lucy Mair. Op.cit., p. 102.
 3. Ray, Animesh. Op.cit., p. 37.

On the other hand, the common people were gaining a new idea of democratic government by contacting foreigners or by acquiring good education which was introduced by Christian missionaries.⁴ The Christian missionaries - Rev. J.H. Lorrain and Rev. F.W. Savidge arrived in Lushai Hills on January 11, 1894,⁵ and this date has been accepted as the day of the coming of the Gospel in Mizoram (Lushai Hills).⁶

The missionaries constructed a building which they used as a school classroom by day and as a church by night. The missionaries employed the local people as salaried church executives and school teachers.⁷ By this time, the Government did not maintain even a single salaried staff in the villages.

With the conversion of the Lushai people to Christianity came the hierarchical administrative system of the church which, in fact, created awareness of the need for governmental action in building up a new better life. This also influenced the course of the operation of social cus-

4. Interview with Luthuatthanga, op.cit.

5. Zairema. God's Miracle in Mizoram (A Glimpse of Christian work among Head-hunters) (Synod Press and Book Room, Aizawl, 1978), p. 3, and Zaithanga, V.L. From Head-hunting to Soul Hunting (Synod Press) Aizawl, 1981), p.12.

6. Mizoram Presbyterian Church Synod, General No. 14 of 1974, Aizawl.

7. Interview with Lalthuamlia, CEO, dated November 6, 1989.

toms and changed the people's orientation. Thus, the church served as a modernising instrument which made the common people to envisage a new set of rules based on democratic principles. This led to the decline of the traditional autocratic rule of the Chief and finally to the growth of political consciousness.⁸

It may be worthy of mentioning here that the conversion of the people of the Lushai Hills to Christianity is significant because it is in a way the story of the political and administrative development of the people of the area.

With the attainment of India's independence, a sense of uncertainty and apprehension about their political future gripped the minds of the elite of the Lushai Hills. They had been actively engaged in a good deal of discussions and consultations about the political future of the Lushai Hills. Again, "with the movement towards independence in India political forces are beginning to awake in the Lushai Hills."⁹ During this period, the Lushais aspired for something better, that is, political status.

8. Interview with R. Thanhlira, Ex-MP and Ex-Chairman, Assam Public Service Commission, dated October 24, 1989.

9. Administrative Report of the Lushai Hills for the year 1945-46, Government of Assam, Shillong, 1946.

At about this time, R. Coupland, a well-known constitutional expert, suggested the creation of "Crown Colony of Eastern Agency" consisting of the hill areas of Assam and Burma, which would be an independent state between India and Burma.¹⁰ McDonald also drew up his Draft Constitution for the future of the Lushai Hills. His scheme envisaged a Legislature consisting of the representatives of the Chiefs and the commoners with power to make law and levy taxes. Only defence would be in the hands of the Government of India. This Draft was approved by the Conference of the Chiefs and commoners. According to this scheme, there was to be a Governor as Head of Government with direct responsibility over the judicial department. There would also be an auditor, a minister and three Councillors who would be the heads of (i) Audit Department; (ii) Agriculture, arts, industries, trade, forests, and fisheries; (iii) Education and health; and (iv) Public Works and Communications respectively. There would also be a Public Service Commission for the recruitment of public personnel.

The term of office varied from office to office. The Governor and the auditor would hold office for a period

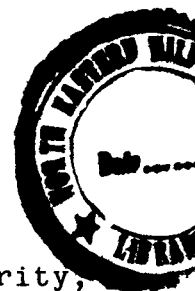
10. Quoted by Ray, Animesh. Op.cit., p. 124; B.K. Roy Burman, Demographic and Socio-Economic Profiles of the Hill Areas of North-East India, Census of India, 1961, (Delhi: Department of Publications), p. 133.

of 16 years, the Minister and the Councillors for 4 years and lastly, the commoners' representatives would serve for 5 years.¹¹

However, the father of this scheme was not a student of Constitutional Law and therefore the McDonald scheme was very clumsy and unworkable.¹²

However, the Lushais were politically immature which worried A.R.H. McDonald, the then Superintendent of the Lushai Hills. A.G. McCall, who had an intimate knowledge of the Lushais, also observed:

In traditional Lushai there was no place for politician. In moder Lushai the politician is needed but unavailable. Unless the administration supplies the lead, the people must drift like leaves on a stream or tremble as weak grass in a storm.¹³



Being aware of the Lushais' political immaturity, A.R. H. McDonald planned and constituted a District Conference which 'alone represented the popular will of the district (Lushai Hills)'.¹⁴ The District Conference consisted of forty members of which twenty were elected by the

11. Rao, V.V. Op.cit., p. 161.

12. Ibid.

13. McCall, A.G. Op.cit., p. 269.

14. Constituent Assembly of India, Proceedings of the North Eastern Frontier (Assam) Tribal and Excluded Areas Sub-Committee, Vol. II (Evident) Part I, New Delhi, 1949.

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Chiefs and the rest by the commoners. The procedure regarding the election of the members of the District Conference, both the Chiefs and the common people formed their own electoral colleges through which they elected their representatives. Any vital issue concerning internal as well as external matters of the Lushais had to be discussed in the District Conference.¹⁵

In January 1946, the first meeting of the District Conference decided to stop the expulsion of villager or any one from the village by the Chief earlier, some of the Chiefs abused this power by expelling anyone from the village. So this was stopped and vested in the District Conference.¹⁶ According to R. Thanhlira, "while discussing the future of the Lushai Hills, the District Conference drafted a constitution and approved the same for the future Lushai Hills."¹⁷

Before the formation of the District Conference, the Lushais were never allowed to engage in any political activity. However, McDonald lifted this prohibition. Then

15. Rao, V.V. Op.cit., p. 162.

16. Proceedings of the first meeting of the District Conference, January 1946, Aijal.

17. Interview with R. Thanhlira, op.cit.

a new political party called the Mizo Common Peoples' Union was formed on April 9, 1946. However, the name of the party was changed to Mizo Union and spread quickly all over the district with the formation of party units in remote villages.¹⁸

However, the Mizo Union Party, before long, came into conflict with the District Conference. The Mizo Union claimed to be the sole representative of the Lushai people in making decisions regarding the political future of the land while the District Conference regarded itself as the true representative.¹⁹ Thus, the Mizo Union boycotted the District Conference and did not even participated in the election of the second District Conference.²⁰

While claiming to be the true representative, the District Conference detailed five persons to meet the Advisory Sub-Committee of the Constituent Assembly on North East Frontier (Assam) Tribal and Excluded Areas on April 18, 1947. Similarly, the Mizo Union demanded that the Mizo Union representative should be included in the Advisory Sub-Committee for the Tribal of Assam, otherwise, the Mizo

18. Interview with R. Vanlawma, op.cit.

19. Ibid.

20. Interview with C. Pahlira, ex-President, Mizo Union, October 9, 1989. Pu C. Pahlira told me also that the important documents of Mizo Union were destroyed when his house was set on fire in 1966.

Union would frame a constitution for Mizos ... that they should decide whether they should be under the British protection for the time being, or form an independent state or join the Chin Hills in Burma and form a separate province within Burma.²¹

On February 21, 1947, a public meeting under the Chairmanship of Sainghinga the Assistant Superintendent, was held at the Bengali Theatre Hall in Aijal (Aizawl). This meeting was attended by more than 200 persons who were not attached to any political party. The meeting resolved that "we, the Mizos, must have a sovereign state, that is, independent Mizoram."²² This happened just before the visit of the Advisory Sub-Committee of the Constituent Assembly known as the Bardoloi Sub-Committee to Aijal (Aizawl).

Meanwhile, as suggested by the Cabinet Mission under Sir Stafford Cripps, the Constituent Assembly of India set up an Advisory Committee which, in turn, set up three sub-committees to report and recommend on (1) the North East Frontier (Assam) Tribal and Excluded Areas; (2) the

21. Rao, V.V. Op.cit., pp. 499-500.

22. Chaltuakhuma, Political History of Mizoram 1920-1980 (Aizawl, 1981), p. 44.

Excluded and Partially Excluded Areas in the Provinces other than Assam, and (3) the Tribal Areas in the North West Frontier Province and Baluchistan. The Sub-Committee on Assam Tribal and Excluded Areas was headed by Gopinath Bardoloi, Premier of Assam with other members like J.J.M. Nichols Roy, Rupnath Brahma, Aliba Imti Ao and A.V. Thakhar. The Sub-Committee co-opted two members from each of the hill districts they visited.²³ From the Lushai Hills two Mizo Union leaders Ch. Sparawnga and Khawtinkhuma were co-opted members. The Chairman of the Sub-Committee in his forwarding letter to Chairman, Advisory Committee on Fundamental Rights, Minorities, Tribal, Sub-Committee Areas, etc., Constituent Assembly of India about the co-option of members mentioned that,

the District Conference was convened by the Superintendent of the Lushai Hills as an elected body purporting to be representative of the whole of the Lushai Hills. The election to this body which consisted of twenty Chiefs and twenty commoners equally with the Superintendent himself as President, was boycotted by the Mizo Union. This was the only representative body of the Lushais at that time which could not be clearly regarded as representing more than a section of opinion, largely that of certain officials and Chiefs controlled by them. Consequently, the criticism that the co-opted members without consulting the Superintendent or his Conference carriers, in his opinion had no weight.²⁴

23. Chaube, S.K. Op.cit., p. 76.

24. Constituent Assembly Debates, 4th November 1948, Vol. VII, Report of the North East Frontier (Assam) Tribal and Excluded Areas Sub-Committee, p. 102.

The Bardoloi Sub-Committee arrived at Aijal (Aizawl) on April 16, 1947, and then met many representatives belonging to the various interests such as, political leaders, church leaders, Chiefs' representatives, ex-servicemen and Government officials on the two consecutive days, that is, April 17 and 18, 1947. The Mizo Union expressed views before the Bardoloi Sub-Committee and demanded creation of Mizoram in which all Mizos living in the Lushai Hills and its adjoining areas should be united; creation of Mizoram National Council consisting of twenty seven members at the initial stage; incorporation of Mizoram in the Assam Province having connections in certain subjects to be decided by negotiations between the Assam Legislature and the Mizo National Council; laws made by the Assam Legislature to be applied to Mizoram only with the sanction or approval of the Mizo National Council; Mizoram to be represented in the Assam Legislature by four elected members; reservation to be made in the Assam services for the Mizos; till Mizoram considers herself able to look after her own affairs, the Government of India shall finance annually.²⁵ It was also included in the memorandum that all the aforesaid conditions must be re-negotiated after ten years.²⁶

25. Memorandum of the Mizo Union submitted to the Bardoloi Sub-Committee on April 17, 1947.

26. Ibid.

Further, the Mizo Union demanded that the Mizos of the neighbouring areas in Cachar, Manipur, etc. should be included in Lushai Hills district and the term 'Mizo' should be substituted for 'Lushai', the internal administration of the area should be left to the people within the framework of the Province of Assam and lastly there should be liberal financial assistance from the Government.²⁷

The District Conference also demanded that if the Lushai Hills was to join Assam, the Mizos should be granted as much autonomy as possible; all Mizos living in the contiguous areas should be united and brought under one administrative unit; the land of the Mizos should be known as Mizoram; propriety rights over land should be retained, law-making National Council of the Mizos with powers to execute the laws made by it should be constituted; the division of powers and functions between Assam and Mizoram should be decided by negotiations between the parties concerned, only legislation, Central or Provincial, should be extended to Mizoram only if and when approved by the Mizoram National Council; the Central Government should finance Mizoram until it could maintain itself without

27. Proceedings of the North East Frontier (Assam) Tribal and Excluded Areas Sub-Committee, Vol. II (Evidence) Part I. Constituent Assembly of India, 1949.

any financial help; the form of the Government should be the present form of democracy; three members should represent Mizoram in the Assam Legislature; all appointments in public services should be made on merit basis and full self-determination without Assam should be granted to the Mizos. Important subjects like defence, foreign relations, communications, currency and coinage should be left to the Central Government.²⁸

Zairema, a prominent Church leader, in his evidence before the Bardoloi Sub-Committee said that the Lushai Hills should have local autonomy. However, he did not talk about separation from India. What he meant was that the Lushai Hills should be within the State of Assam for all time to come.²⁹ Vanthuama, the then Secretary of the Mizo Union, also claimed the right of secession for the Mizo people, however, he wanted the Lushai Hills to be within the Indian Union so long as the Lushai Hills was economically backward.³⁰ While having an interview with the scholar, R. Thanhlira, the then editor of the Mizo Aw (Daily Newspaper) said that he himself appeared before the Bardoloi

28. Ibid.

29. Rao, V.V. Op.cit., pp. 165-166.

30. Ibid.

Sub-Committee and demanded as much autonomy as possible for the Lushai Hills.³¹

The Chiefs' representatives also met the Bardoloi Sub-Committee and demanded the perpetuation of the institution of chieftainship as well as their rights and privileges. They said that 'if our rights and privileges would be done away with or impaired India's Independence will be a curse to us.'³²

Mrs. Khawtinkhuma, Mrs. Lalnghinga and Mrs. Kapthluai from the Women's Association appeared before the Bardoloi Sub-Committee and demanded adult franchise and reservation of two or more seats in the District Conference for women. Adult franchise to them meant all adults about 18 years should have the rights to vote. Bardoloi agreed to this demand.³³

The Association of ex-Servicemen also met the Committee and expressed its desire for Mizoram's separation from India. It also said that "if India attains Independence, then we also want independent Mizoram."³⁴

31. Interview with R. Thanhlira, op.cit.

32. Editorial, The Statesman, Calcutta, November 10, 1952.

33. Prasad, S.N. Op.cit., p. 84.

34. Constituent Assembly of India, op.cit., p. 19.

Some Government officials who appeared before the Bardoloi Sub-Committee recommended that defence, communication, and foreign relations should be in the hands of the Central Government. They also demanded that the Mizos should be given maximum autonomy in all matters concerning with the management of their own customs and usages etc. To the Bardoloi Sub-Committee the main emphasis in the demands of the Lushai Hills was laid down on the protection of land, the prevention of exploitation by outsiders and the continuance of their local customs and language.³⁵

Considering different demands submitted to the Bardoloi Sub-Committee the following points were prominent - a maximum autonomy in internal matters, sole propriety right over land, preservation of culture, custom and tribal way of life, protection from exploitation from the plains people, financial provision in the Central budget; unification of Mizo inhabited areas under one administrative unit and the review of political set up after a period of ten years.

Examining and considering different demands, the Bardoloi Sub-Committee carefully studied the existing administrative set up in these hill areas including the Lushai

35. Constituent Assembly Debates, op.cit., p. 134.

Hills with a view to building up an autonomous body in the administration of the hills, so that the tribal people may continue to follow their traditional way of life.³⁶ Again, the Bardoloi Sub-Committee suggested a separated administrative set up of the hill areas, based on the concept of regional autonomy in all matters affecting their customs, laws of inheritance, administration of justice, land, forest etc.³⁷ This type of administration took shape in the outline of the Sixth Schedule of the Constitution. The idea behind the Sixth Schedule, as rightly pointed out by Animesh Ray, was to provide the tribal people with a simple and inexpensive administrative set up of their own which would safeguard their tribal customs and ways of life and secure to them management of tribal affairs.³⁸

However, even after the constitution came into force, the immediate constitution of the District Councils in all the hill areas had not been a possibility. Thus, a meeting of Lushai Leaders under the Chairmanship of L.L. Peters, the then Superintendent, was held at Aijal (Aizawl) on August 14, 1947. The meeting resolved that:

36. Report of the North East Frontier (Assam) Tribal and Excluded Areas Sub-Committee (Bardoloi Sub-Committee) 1947 (Managers of Publications, Delhi, 1950).

37. Ibid.

38. Ibid.

Owing to the unexpected acceleration of the date of transfer of power by the British Government, and as such the Lushais have not ... as yet been definitely informed in detail as to what is to be the proposed future constitution and form of administration of the district ... it is accordingly thought necessary that His Excellency, the Governor of Assam should kindly inform in writing as to what these are to be, also whether Lushais are at this stage allowed the option of joining any other Dominion, that is, Pakistan or Burma.

... if the Lushais are to enter the Indian Union their demands are (i) that the existing safeguards of their customary laws and land tenure, etc. should be maintained (ii) that the Chin Hill Regulation, 1896, and Bengal Eastern Frontier Regulations, 1873, should be retained until such time as the Lushais themselves through their District Council or other parallel district authority declared that this can be abrogated; (iii) that the Lushai Hills will be allowed to opt out of the Indian Union when they wish to do so, subject to a minimum period of ten years.³⁹

The Mizo Union was restless over the delay in the implementation of the Sixth Schedule. Pending the Constitution of the District Council, Bardoloi initiated a move to set up an interim local council in the Hill areas. But the Mizo Union grew impatient and then decided to start a non-cooperation movement if the District Council was not set up before the end of November 1947. At the same time, the Mizo Union demanded the abolition of the oppressive practices - (i) building the Chiefs' houses by free

39. Proceedings of the meeting of Lushai Leaders at Aijal, on August 14, 1947 - Memo No. 6927-764 of 21 August, 1947.

labour; (ii) payment of the paddy tax to the village Chiefs; (iii) bringing of the disputes to the village Chiefs for trial, iv) meat tax on the four-footed wild animals hunted by the people.⁴⁰

But the Government of Assam hesitated to take a drastic legislation as demanded by the Mizo Union. Thus, in late 1948, the Mizo Union launched a civil disobedience movement. This resulted in riotous assaults on the Chiefs and their supporters. The Unionists were pacified when, in January 1949, the Adviser to Governor of Assam on tribal affairs visited the district and repeated the promise of implementation of the Sixth Schedule at an early date.⁴¹

Meanwhile, the recommendation of the Bardoloi Sub-Committee was accepted by the Advisory Committee on February 24, 1948.⁴² Subsequently, the Government of Assam desired that representative of the tribal people should be associated with the administration of their areas during the interim period. Accordingly, the Government set up Advisory Councils in five of the six hills districts. Though the Advisory Councils had no statutory basis, they were treated as

40. Chaube, S.K. Op.cit., pp. 163-164 and also see the Assam Tribune, October 5, 1947.

41. Ibid.

42. Rao, B. Shiva. The Framing of India's Constitution, Select Documents, Vol. III, pp. 780-82.

Provincial District Councils.⁴³ So under this provision, the Lushai Hills got an Advisory Council to manage its local affairs. The following candidates were declared elected to the Lushai Hills District Advisory Council -

Sl. No.	Name of the Constituency	Name of the elected candidate
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Aizawl Sub-Division⁴⁴

1.	Rural Constituency Circle I	Pu R. Thanhlira, B.A.
2.	" " Circle II	Pu Vanlalbuka
3.	" " Circle IIIA	Pu Zadailova
4.	" " Circle IIIB	Pu Pu Khelnuna
5.	" " Circle IVA	Pu Vaitlaia
6.	" " Circle IVB	Pu Chhunbura
7.	" " Circle V	Pu Khuma
8.	" " Circle VI	Pu Pasena
9.	" " Circle VII	Pu Chaltuahkhuma
10.	" " Circle VIII	Pu Saitawna
11.	" " Circle IX	Pu Hrangaiia
12.	" " Circle X	Pu Chawngnuaia
13.	" " Circle XI	Pu Changa
14.	Aizawl Urban Constituency XII	Pu Lalmawia, B.A.
15.	Aizawl Women's Constituency	Ri Lalsangpuii, B.A.

Lunglei Sub-Division⁴⁵

16.	Chiefs' Constituency Circle XII	Pu Chhumnunga
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43. Rao, V.V. Op.cit., p. 195.

44. Superintendent's Order No. 1009-49 of 27.4.1948, Aijal.

45. Superintendent's Note No. 1658-82 G of 6.5.1948, Aijal.

Sl. No.	Name of the Constituency	Name of the elected candidate
17.	Rural Constituency Circle XII	Pu Vanthuama
18.	" " Circle XIII	Pu Khuanga
19.	" " Circle XIV	Pu Dengthuama
20.	" " Circle XV	Pu Hengmanga
21.	" " Circle XVI	Pu Saprawnga
22.	" " Circle XVII	Pu Vako
23.	" " Circle XVIII	Pu Tuikhurliana
24.	Lunglei Urban Constituency	Pu Lalchungnunga, B.A., B.T.
25.	Lunglei Women's Constituency	Pi Remthangi

The Advisory Council was to advise the District Superintendent on various administrative problems and development of the district. However, the Mizo Union was not satisfied with the establishment of Advisory Council and became more impatient for having the District Council earlier.

Consequently, the Sixth Schedule to the Constitution of India provided for the establishment of District Councils and Regional Councils within the autonomous hill districts in Assam. Then the Government of Assam created six Autonomous District Councils - United Khasi and Jaintia Hills, Garo Hills, Lushai Hills, Naga Hills, North Cachar and Mikir Hills in 1952.⁴⁶

46. Assam Autonomous Districts (Constitution of the District Councils) Rules, 1951, Government of Assam, Shillong, 1951.

Upon the implementation of the Sixth Schedule a new era of administration started in the Lushai Hills. The District Council in the Lushai Hills was inaugurated by the Assam Chief Minister, Bishnuram Medhi on April 25, 1952, at Aijal (Aizawl).⁴⁷ The Pawi-Lakher Regional Council was also inaugurated the following year, that is, April 23, 1953.⁴⁸ Thus, in Lushai Hills the new administrative system started functioning from April 26, 1952, with powers conferred on the District Council by the Sixth Schedule.

District Council and the Institution of chieftainship

With the coming up of the District Council in the Lushai Hills, the first election to the District Council was held on the basis of adult franchise. The Mizo Union and the United Mizo Freedom Organization (UMFO) contested the first District Council election. The Mizo Union fought the election on the issue of abolition of chieftainship which was the political issue of the day. On the other hand, the UMFO launched campaign with the support of the

47. Vanlawma, R. Karam leh kai (My Country and I), (Zalen Printing House, Aizawl, 1972), p. 170.

48. The Constitution of India, Paragraph 1, Sub-paragraph (2) says that if there are different scheduled tribes in an autonomous district, the Governor may, by Notification divide the area or areas inhabited by them into an autonomous region. Accordingly, one autonomous region, that is, Pawi-Lakher Regional Council was created in Lushai Hills and was inaugurated on April 23, 1953.

ruling Chiefs. Thus, the rift between the two parties became wider. However, the Unionists backed by the common people were quick in taking advantage of this critical situation.⁴⁹

The Mizo Union won seventeen of the eighteen seats contested by it. The UMFO was thus badly beaten by the Mizo Union. The following were the elected candidates.⁵⁰

Circle or Constituency	Name of the Candidates elected	Name of Political Party
I	Pu R. Thanhlira	Mizo Union
II	Pu Vanlalbuka	"
III	Pu Lalbuaia	"
IV	Pu H. Khuma	"
V	Pu Lalsawia	"
VI	Pu Hrangaiia	"
VII	Pu Chaltuakhuma	"
VIII	Pu Saitawna	"
IX	Pu Rotluanga	"
X	Pu F. Sangkunga	"
XI	Pu R.B. Changa	"
XII	Pu Pachhunga	UMFO
XIII	Pu Pauia	Mizo Union

49. Interview with C. Pahlira, op.cit.

50. Chaltuakhuma, op.cit., pp. 78-79.

Circle or Constituency	Name of the Candidate Elected	Name of Political Party
XIV	Pu Pathala	Mizo Union
XV	Pu Ch. Saprang	"
XVI	Pu Tuikhurliana	"
XVII	Pu Khuaimanga	"
XVIII	Pu Vakova	"

The following had been nominated - (1) Dr. Rosiama, (2) Pi Lalziki Sailo, (3) Pu Sainghinga, (4) Pu Lalthawvenga Sailo, (5) Pu Taikhuma and Pu Medhia Chakma.⁵¹

The first District Council session was then held on June 13, 1952. Lalsawia was elected as the Chief Executive Member and Hranggaia and F. Sangkunga as the Executive Members. Dr. Rosiama, the nominated member, was elected as the first Chairman and Tuikhurliana as the Deputy Chairman.⁵²

However, the first Executive Committee of the District Council did not start functioning well in the absence of established regulations at the initial stage. Thus, the actual administration of the local affairs by the

51. Ibid.

52. Ibid., pp. 80-81.

District Council started with effect from June 1952 after having some rules and regulations formulated.⁵³

Meanwhile the conflict between the Mizo Union which dominated the District Council and the Chiefs still continued. The Mizo Union pressed the Government of Assam for the abolition of chieftainship. However, the Assam Government which has made a promise earlier to the Mizo Union to this effect, found it difficult to pass a legislation about it. Even the then Chief Minister of Assam said that it is not easy to do away with the Chiefs or find substitutes in their places. They are very loyal band of public servants, experienced in the technique of administration. It should be endeavour of the Council to utilise their experiences and talent in the new administrative set up.⁵⁴

On the other hand, the Chiefs were not reconciled to the possible abolition of their institution. In their memorandum submitted to the Prime Minister Jawaharlal Nehru, during his visit to Assam, the Chiefs said that the attempt of the District Council composed mainly of members of the reactionary party is against the spirit of the constitution. They further said that the abolition of chiefdom without compensation was one of the issues on which the Mizo Union

53. Prasad, R.N. Op.cit., pp. 103-104.

54. The Statesman, Editorial (Calcutta, November 10, 1952).

fought and won the election. It is evident that its view on the matter does not entirely agree with that of the Assam Government whose view has thus been expressed by the Chief Minister.⁵⁵ The United Mizo Freedom Organization also stood against the abolition of chieftainship and stated thus:

The United Mizo Freedom Organization is against the abolition of the chiefdoms. Its leader, Mr. Lalmawia told me that his party would be satisfied if the Chiefs were placed under the control of the District Council. The UMFO in the past was an advocate of Lushai independence or alternatively, the District's merger with Burma. Mr. Lalmawia failed to carry the people with him during the election and says he has changed his former stand. They deny allegiance to any party in India but the Union feels some affinity with the Congress.⁵⁶

Lastly, in 1954, the Government of Assam passed a legislation for the abolition of the institution of Chiefs under the Assam Lushai Hills District (Acquisition of Chiefs' Rights) Act of 1954. This Act came into force from April 1, 1954, in the area under the jurisdiction of the Mizo District Council.⁵⁷ and from April 15, 1954, in the Pawi-Lakher

55. Ibid.

56. Ibid.

57. The name of the district was changed from Lushai Hills District to Mizo Hills in 1954 by the Lushai Hills (Change of name) Act, 1954. The Lushai Hills District Council was consequently renamed as the Mizo District Council.

Region. The rights and interests of 259 Mizo Chiefs and 50 Pawi-Lakher Chiefs were vested in the Government. The administration of the land under these Chiefs was also handed over to the District and Regional Councils respectively. Thus, the institution of chieftainship came to an end. In its place, modern democratic form of institution has been adopted. However, the Chiefs were still allowed to exercise their powers until the Village Council was formed and elected. But they should exercise their powers only in line with the instructions given by the District Council.⁵⁹

Composition, Powers and Functions of the District Council

The Constituent Assembly fixed the strength of the District Council at a maximum of 24.⁶⁰ The District Council is a corporate body having perpetual succession and a common seal with the right to sue and be sued. Three-fourths of the members should be elected on the basis of adult franchise and the rest has to be nominated. The composition of the various District Councils is as follows.⁶¹

58. The Lushai Hills District (Acquisition of Chiefs' Rights) Act, 1954, Section 6(1)(2) and see also L.B. Thanga, Op.cit., p. 171.

59. The Lushai Chiefship Abolition Act 1952, Zoram Hirat-tirna (District Council Information), p. 15.

60. Chaube, S.K. Op.cit., p. 94.

61. Rao, V.V. Op.cit., p. 216.

Year	Khasi & Jaintia		Garo Hills		Mikir Hills		Mizo Hills		N. Cachar	
	Elect	Nom.	Elect	Nom	Elect	Nom.	Elect	Nom.	Elect	Nom.
1952	18	6	18	6	12	4	18	6	12	4
1957	24	-	22	2	14	2	22	2	14	2
1963	24	-	22	2	14	2	22	2	14	2
1970	27	-	27	3	20	4	27	3	20	4

It is thus clear that in 1952, the Lushai Hills District Council had a strength of twenty-four; of whom eighteen were elected and six nominated. In 1957, the members were reduced to two. In 1963, the strength of the Mizo Hills District Council was twenty-two elected and two nominated. In 1970, it was increased to twenty-seven elected and three nominated. Thus, it may be said that the strength and composition of the Lushai District Council varied from time to time and the nominated element also varied accordingly.

Mr. Lalsawia, the first Chief Executive Member quit the office due to the clash of interests among the members of the Mizo Union. In his place, Ch. Saprawnga was elected and remained in office till the end of the first term of the District Council.⁶²

62. Vanlawma, R. Op.cit., p. 226.

The second District Council met in June 1957 and re-elected Ch. Saprawnga as Chief Executive Member for a second term. Ch. Saprawnga selected Dr. Rosiama and Tui-khurliana as his colleagues. Unfortunately, Dr. Rosiama died in June 1959 and in his place Hrangaiia was installed.⁶³ Although it faced an internal instability, Ch. Saprawnga occupied the office upto the next general election to the District Council.

In June 1962, the third District Council had sitting and elected Ch. Saprawnga as Chief Executive Member and Hrangaiia and Lalbuaia as Executive Members. This time, Ch. Saprawnga held office till April 30, 1965 before the term was over. Ch. Saprawnga resigned due to certain dissatisfaction among the members of the Mizo Union with the leadership of Saprawnga.⁶⁴ Due to Ch. Saprawnga's resignation, H.K. Bawichhuaka, the then Chairman of the District Council was elected as Chief Executive Member. Lalbuaia was shifted from the Executive Committee to Chairmanship of the District Council which was vacated by H.K. Bawichhuaka. In the place of Lalbuaia, C. Pahlira was taken. H.K. Bawichhuaka held office till the next general election.⁶⁵

63. Interview with Ch. Saprawnga, ex-Chief Executive Member of the Mizo District Council, dated April 2, 1982.

64. Prasad, R.N. Op.cit., p. 111.

65. Interview with Chaltuahthuma, ex-Member of Mizo District Council, dated January 12, 1982.

Due to the outbreak of increasing insurgency in the Mizo Hills, no election to the District Council could be held in 1967. So the tenure of the District Council was extended upto 1970. Then the long overdue fourth election to the District Council was held on April 24, 1970.⁶⁶

The fourth District Council met on July 2, 1970 for the election of the Chief Executive Member. There were two candidates - Zalawma of the Congress and Vaivenga of the Mizo Union. This was the first time in the history of Mizo Hills District Council, the election to the post of Chief Executive Member was contested. Zalawma defeated the Mizo Union candidate - Vaivenga by 13 votes to 10. Zalawma selected R. Lalhuzauva and Z.V. Lalmawia as his colleagues.⁶⁷ Thus, Congress came to power for the first time in the Mizo Hills.

On November 4, 1970, the strength of the Executive Committee was increased from two to six as proposed by the Chief Executive Committee. Then on November 16, 1970 three more Executive Members - J. Thanghuama, Mylai Hlychho and Sapnela were appointed as Executive Members.⁶⁸

66. Interview with B. Lalthlengliana, Joint Secretary, MNF, dated July 24, 1989.

67. Prasad, R.N. Op.cit., p. 112.

68. Rao, V.V.; Thangsanga, H. & Hazarika, Niru. A Century of Govt. and Politics in North-East India, Vol. III, Mizoram (S. Chand & Co. (Pvt.) Ltd., New Delhi, 1987), p. 216.

However, the Congress was split into two factions - Dengthuama Congress and Hrangchhuana Congress. Dengthuama Congress wanted to dethrone the Executive Committee led by Zalawma. While moving the motion of no-confidence in the Zalawma's Executive Committee, Saprema, who belonged to Hrangchhuana Congress, said that the Executive Committee did not hold elections to the Village Councils, that it appointed Village Council authorities without proper sanction; that the members of the Executive Committee were selected without consulting the party; that the property of the District Council was gifted away to private persons; that a stall near the Cinema Hall was given to Dengthuama; that the Denthuama Congress boycotted the Chief Minister of Assam and the Minister A. Thanglura, when they visited the Mizo Hills; that the officers of the District Council were appointed without consulting the District Council and finally the Executive Committee did not hold talks with Mizo National Front (which fought for independence) as promised at the time of election. However, Zalawma refuted all these charges. Lastly, the Zalawma's Executive Committee was pull down due to the split in the Congress. The no-confidence motion was carried by thirteen votes to nine. Zalawma's Executive Committee thus fell.⁶⁹

69. Ibid.

The District Council met again on January 16, 1971 and elected F.C. Nghina as Chief Executive Member with the support of the Mizo Union. However, after a while the Mizo Union was disappointed with F.C. Nghina as he did not keep up his promises like passing resolution demanding statehood for Mizoram in the District Council and second, the failure to give Chairmanship of the District Council to the Mizo Union. Thus, F.C. Nghina's Executive Committee was also toppled down by eighteen votes to one on March 18, 1971.⁷⁰

On March 24, 1971, the District Council met and elected Ch. Chhunga as the Chief Executive Member. Here the Dengthuama Congress and the Mizo Union entered into an agreement and formed the United Mizo Parliamentary Party. Zalawma was elected as the Deputy Chief Executive Member. Of the six members of the Ch. Chhunga's Executive Committee, two were from the Mizo Union, two from the Dengthuama Congress, one nominated independent. Ch. Chhunga selected Thansiama and Vaivenga from the Mizo Union; Zalawma and Sapnela from the Dengthuama Congress and one from the nominated bloc, Ruala.⁷¹

70. Ibid.

71. Rao, V.V. Op.cit., pp. 271-272.

Though Ch. Chhunga was the leader of a minority group in the District Council, he was the head of the Government. The Congress, though having majority in the District Council could not form the Government because of the infighting within the party. The main reason for this infighting was the temperamental differences among the leaders of the Congress. However, the two factions of the Congress later came to some understanding which helped them to remove Ch. Chhunga from office.⁷²

Thus, on March 22, 1972, the District Council met and elected Zalawma, the Deputy Chief Executive Member as the Chief Executive Member. He was the last Chief Executive Member of the Mizo District Council. Zalawma selected F.C. Nghina, a former CEM, C.L. Ruala, Saprema, Sapnela and Thanchungnunga as members of the Executive Committee.⁷³

It may thus be said that there was political stability in Mizo politics from 1952 to 1970. From 1952 to 1970 there were three Chief Executive Members - Ch.Saprawnga held office for a decade, H.K.Bawichhuaka for six years and Lalsawi for two years. The main reason for political stability in the Mizo Hills was the dominance of a single political party, that is, the Mizo Union, which had absolute majority

72. Ibid.

73. Ibid.

in the Mizo District Council. But from 1970 to 1972 there were four Chief Executive Members. Frequent changes occurred in the office of the Chief Executive Member due to the formation of coalition government. The same was the result of political instability caused by defections.⁷⁴ After 1970, some of the Members of the District Council commanded confidence of the Members in the Council and the people as well.

With regards to the functions of the Executive Committee, it disposed of all matters falling within its purview. It might also propose to bring change in the administrative system of the District Council, make regulations, rules and laws and all appointments with the final approval of the District Council. Each Executive Member was made in-charge of respective department. The Executive Department as per the rules was collectively responsible for all executive orders and policies in the name of the District Council.

Thus, under the dual administrative set up envisaged in the Sixth Schedule to the Indian Constitution, the civil administration of the Mizo Hills district was placed with the two authorities - Deputy Commissioner representing the State Government and the District Council elected by

74. The Collection of Mizo District Council Act, Published by District Council, Aizawl, 1970, pp. 127-128.

the people of the district it was an essential factor that the applicability of laws made by the different legislative bodies should be also clearly defined. It was laid down in the Sixth Schedule that no Act of the State Legislature on any subject within the purview of the District Council would, however, direct its application, if necessary, with certain modifications. The other Acts of the State Legislature and all Acts of Parliament would apply to the autonomous district, unless the Governor issued a notification barring the application of such laws in the area.⁷⁵ These provisions continued to remain in force so far as the autonomous districts under Assam Government are concerned.

As regards the autonomous region, the Pawi-Lakher region was constituted within the area of Mizo District Council.⁷⁶ As rules framed under the Sixth Schedule, the Regional Council had a strength of 12 members of whom 9 were directly elected on the basis of adult franchise and the rest were to be nominated by the Governor in consultation with the Chief Executive Member for a term of five years.

75. The Constitution of India, Paragraph 12.

76. Government of Assam Notification No. TAD/R/10/50 dated 31st July, 1951.

The election to the first Regional Council was held in later part of 1952 or in the beginning of 1953.⁷⁷ The Sub-Divisional Officer, Lunglei was deputed as the first Chief Executive Member for a period of one year with effect from April 23, 1954.⁷⁸ After a year the Regional Council met and elected C. Zochhuma of the Pawi tribe as the Chief Executive Member. C. Zochhuma of the Pawi tribe as the Chief Executive Member. C. Zochhuma selected Saikia as the Executive Member on June 1, 1954. Unluckily, C. Zochhuma died on August 31, 1956. In his place H. Kiatuma was elected by unanimous vote on January 13, 1957. H. Kiatuma dropped Saikia. In the place of Saikia, he selected Pakkai of Saiha as the Executive Member on July 8, 1957 and therefore occupied the office till the end of their term.⁷⁹

The second Regional Council held its session on May 1, 1958 and re-elected H. Kiatuma for a second term as the Chief Executive Member. H. Kiatuma selected Mylai Hlychho of Lakher as the Executive Member on July 28, 1958. They held office till the next general election to the Regional Council.⁸⁰

77. Prasad, R.N. Op.cit., p. 117.

78. Ibid., p. 118.

79. Rao, V.V., Thansanga, H, and Niru Hazarika, op.cit. p. 220.

80. Road to Pawi-Autonomous District Council, (Published by Pawi District Council, 1980), pp. 3-4.

The third Regional Council met on April 27, 1964 and elected Lalchunga Chinzah as the Chief Executive Member by unanimous vote. He selected Rohnuna as the Executive Member. Here is an interesting situation. In this region, there are two tribes - the Pawi and Lakher. Members from the Pawi tribe were elected as the Chief Executive Members for the first two Regional Councils. Because of this, the Lakhers boycotted the third general election to the Regional Council. The Lakhers demanded a separate District Council for them.⁸¹ However, both the parties came soon to an agreement on the ground that a member from among the Lakhers should be the next Chief Executive Member and therefore the Lakhers contested the fourth general election in 1970.

The fourth Regional Council had its sitting on July 16, 1970 and elected Zakku Hlychho a Lakher as the Chief Executive Member. He selected Sapliana Vandir of Tlanglan tribe as the Executive Member. After sometime differences cropped up between the two tribes and therefore no-confidence motion was moved against Zakku Hlychho's Executive Committee. Zakku thus fell. However, the Regional Council elected Zakku Hlychho again as the Chief Executive Member. Zakku Hlychho selected a Lakher-Pawi S. Palai and Ukmang

81. Memorandum of Pawi submitted to Chairman of Commission for Hill Areas of Assam, pp. 15-16.

Zathang a Lakher as his new colleagues.⁸² Zakku Hlychho held office till the Regional Council was made into the Pawi, the Lakher and the Chakma Regional Councils.

When the Mizo Hills District was converted into a Union Territory, the Pawi-Lakher Regional Council was abolished and made into the Pawi, the Lakher and the Chakma regional councils. Lalchungah Chinzah, Zakku Hlychho and A.C. Chakma were appointed as the Chief Executive Members of the Pawi, the Lakher and the Chakma Regional Councils respectively. Later, the three Regional Councils were, again, upgraded as District Councils and the Chief Executive Members held their respective offices until the election of the new Chief Executive members.

As regards the powers and functions, under Paragraph 3 of the Sixth Schedule to the Constitution of India, the Mizo Hills District Council and the Pawi-Lakher Regional Council have been given legislative, executive, financial and judicial powers.

As regards the Legislative powers, the Mizo Hills District Council (like other District Councils) has the power to make law with respect to (a) allotment, occupation, use and setting apart of land other than any other land

82. Interview with S.P. Zachono, Congress Party Leader, dated November 20, 1989.

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which is a reserved forest, for the purpose of agriculture or grazing or for any other purpose likely to promote the interests of the inhabitants of any village or town; (b) the management of any forest not being a reserved forest; (c) the use of canal or water course for the purpose of agriculture; (d) the regulation of the practices of jhum or other forms of shifting cultivation; (e) the establishment of the village or town committee or councils and their powers; (f) any other matter relating to village or town police and public health and sanitation; (g) the appointment of succession of Chiefs or headmen; (h) the inheritance of property; (i) marriage and divorce; and (j) social customs. The District Council has also the power to control money-lending and trading by non-tribals.⁸³

The District Council enjoys the executive powers to construct or manage primary schools, dispensaries, markets, cattle, ponds, ferries, roads, road transports in the district. The Governor may, with the consent of the District Council, entrust the Council with functions in relation to agriculture, animal husbandry, community projects, co-operative societies, social welfare, village planning or any other matter to which the executive powers

83. The Constitution of India, Paragraph 3, Sub-Paragraph (1), pp. 157-158.

of the State extend . The Council has no legislative or regulatory power over the later subjects.⁸⁴

Under paragraph 4 of the Sixth Schedule, the District Council has the judicial powers to constitute village councils or courts for the administration of justice and also may appoint suitable persons to be members of such village councils and courts or Presiding Officers of such courts and may also appoint such officers as may be necessary for the administration of the laws made under paragraph 3 of this schedule. The Council may take rules regulating procedure to be followed by different courts and enforcement of the decisions of such courts.⁸⁵

In regard to the finance, paragraph 7 of the Sixth Schedule, the District Council and the Regional Council are entrusted with the responsibility of constituting a District fund and also making rules for the management of the District fund.⁸⁶

It may thus be said that a new system of administration based on democratic principle has been introduced in the Mizo Hills. The District Council enjoys wide law-

84. Ibid., pp. 155-156.

85. Ibid., p. 159.

86. Ibid.

making powers under the Constitution. In the matter of legislation, the Mizo District Council went far ahead of the District Councils like Cachar District Council, Khasi and Jaintia Hills District Council etc. It passed a number of laws on varied subjects.

How far the Mizo District Council has exercised the above mentioned powers given to it by the Sixth Schedule to the Constitution of India?

The District Council enacted the Lushai Hills District (House Sites) Act in 1953 relating to the allotment of land for the construction of houses. According to this Act, the village councils were empowered to allot land for the construction of houses and other non-agricultural purposes.⁸⁷ No other District Councils including the Pawi-Lakher Regional Council had legislation on the subject mentioned.

The Mizo District Council democratized the village administration after the abolition of chieftainship by enacting the Lushai Hills District (Village Councils) Act in December 1, 1953. This Act regulates the establishment of village councils within the district and it also defines

87. The Collection of Mizo District Council Acts, op.cit., pp. 70-72.

the powers and functions of the village councils. As per the Act the village administration has been entrusted to the Village Council in each village elected by the villagers on the basis of adult franchise. The number of members in the Village Council would, however, vary from village to village depending upon the number of houses.⁸⁸ The members of the Village Council might be shown below:⁸⁹

<u>No. of Houses</u>	<u>No. of Members</u>
60 - 100	6
101 - 140	7
141 - 180	8
181 - 220	9
221 - 260	10
261 - above	11

The procedure for the election of members of the Village Councils was more or less the same as that of the District Council. They were elected for a period of three years. A Village Council has a President and a Vice President. They have been elected from amongst the members of the Village Council. The Village Council has its own

88. Lushai Hills District (Village Council) Act, 1953, Chapter II, Section 3(2).

89. Mizoram Village Council Constitution and Mizoram Administration of Justice Rules 1953 (Aijal, August, 1954) Document, p. 2.

Secretary appointed by the Government on the recommendation of the Village Council President. He is not a member of the Council but acts merely as an Executive Officer of the Council and should work under the control of the President. Besides, there is another officer of the Village Council - the Thangau or Village Crier whose function was to inform the public of the decisions taken by the Village Council and other Government notices concerning public. All members of the Village Council are paid with salary which, however, varied from time to time.

The Village Council has the power to divide land among the villagers impartially for jhumming for a period of one year. It is to look after the best interests of the village as a whole. It has the power to exempt people from work who are over sixty years of age as well as those under fifteen.⁹⁰ It has also the power to administer justice in the village. It is a fact that the Village Council is now the only institution in which the village-level administration is entrusted.

The Pawi-Lakher Regional Council had also enacted the Pawi-Lakher Autonomous Region (Village Council) Act on November 24, 1954 to carry out the internal affairs

90. Ibid.

of the village. The Council had 3 to 9 members according to the number of houses it contained.⁹¹

With a view to stopping the system of paying of traditional dues, the Mizo District Council enacted the Lushai Hills District (Social Custom) Act in May 1953. According to this Act, traditional dues were abolished with effect from June 1, 1953 in the Lushai Hills.⁹² The traditional dues included Sachhiah (meat tax); Khuaichhiah (honey tax); and Chichhiah (salt tax).

Apart from these traditional dues, the Chief used to receive Fathang (paddy tax), a maximum six tins of paddy from every household. In order to do away with this practice, the Mizo District Council enacted the Lushai Hills District (Reduction of Fathang) Act in May 1953. Accordingly, the paddy tax payable from six tins to a minimum of three tins of paddy per annum.⁹³ Similarly, the Pawi-Lakher Autonomous Region (Social Customs and Practices) Act and the Pawi-Lakher Autonomous Region (Reduction of Fathang) Act were enacted on December 5, 1953. Therefore, all traditional dues as well as the paddy tax payable to the Chief were

91. Prasad, R.N. Op.cit., p. 142.

92. The collection of the Mizo District Councils Acts No.36, op.cit., pp. 7-8.

93. Ibid.

abolished and reduced respectively within the Regional Council's jurisdiction.⁹⁴

In order to regulate and control trading by non-tribals, the Mizo District Council passed another Regulation in March 17, 1953 known as the Lushai Hills District (Trading by non-tribals) Regulation.⁹⁵ Accordingly, non-tribals were not allowed to carry on wholesale or retail business in any commodities in the district without prior permission from the District Council. But, such a person who had been carrying on trade before the commencement of this regulation was exempted. Under this Regulation, the Executive or an officer appointed on its behalf may, after making enquiries, accept or reject any application for trading by non-tribals. When the application is accepted a trade licence will be given to the applicant. Every licenced trader should maintain books of accounts for inspection. The Executive Committee of the District Council may refuse to renew any licence granted to a non-tribal trader for reasons to be recorded in writing. This power was not given to the Pawi-Lakher Regional Council. Thus, non-tribals outside the Lushai Hills seeking permission for trading within the Lushai

94. Ibid., pp. 25-29.

95. The Lushai Hills District (Trading by non-tribals) Regulation. Collection of Mizo District Council Act, 1953.

Hills district should obtain Entry Pass from the Deputy Commissioner, Lushai Hills, Aijal (Aizawl), prior to applying for trading licence from the District Council. Applications together with such entry passes only shall be entertained.⁹⁶ Every licenced holder of permanent non-tribal Trade licence must have his licence renewed in the Mizo District Council Executive Department on or before the 31st March every year on payment of renewal fee of Rs.2/- only and in default the licenced holder shall be liable to the payment of a late fee which may extend to Rs.5/- only, failing which the trader is liable to prosecution under law or cancellation of his licence.⁹⁷

However, this Act was challenged in the High Court of Assam and Nagaland by Lala Sharda whose trade licence was cancelled by the District Council on the ground that he was other than wholesale or retail business, dealing in many articles as well as carrying on the supply of materials and contract works, etc. But the High Court in its judgement upheld the Mizo District Council's decision.⁹⁸

96. Lushai Hills District Council Executive Department Notification No. E.1734/11-9, 5.3.1953.

97. Mizo District Council Notification dated Aijal the 17th August, 1956.

98. Prasad, R.N. Op.cit., pp. 145-146.

Further, the District Council enacted the Lushai Hills District (Money Lending by non-tribals) Regulation in 1953 to check the possibility of exploitation of the Lushais (Mizos) by the plains money-lender.⁹⁹ This Regulation discouraged the plain money-lenders' entry into the Lushai Hills district for carrying on money lending business. But this Regulation was hardly made enforceable because such business by the plain people was neither undertaken nor popular in the Lushai (Mizo) Hills.

The Lushai Hills Autonomous District (Administration of Justice) Rules was enacted on April 7, 1953.¹⁰⁰ Under these Rules, three classes of Courts - Village Courts; Subordinate District Courts and District Council Court - came into existence for the trial of suits and cases between the parties all of whom belonged to a scheduled tribe or tribes within the area of the Lushai Hills District Council.

Village Council Court is the lowest court consisted of the members of the Village Council elected by the villagers. The Village Court has the power over the civil and criminal cases falling within the purview of the village

99. The Lushai Hills District (Money Lending by Non-Tribals) Regulation, 17th March, 1953.

100. The collection of Mizo District Council Act, No. 30, Op.cit., p. 21.

or tribal laws or customs. It has also power over petty offences like petty thefts, mischief, trespass, simple assault, drunken, public nuisance, wrongful restraints etc. But the Court could not try offences in which the punishment is obligatory under the Indian Penal Code.¹⁰¹ The Village Court has also power to impose a fine upto fifty rupees. An appeal against the decision of the Village Court should be referred to the Subordinate District Council Court within sixty days from the date on which the Village Court decided the case.

There were two Subordinate District Council Courts- one at Aizawl with jurisdiction over the Aizawl sub-division and another at Lunglei with jurisdiction over the Lunglei sub-division. Each Court was presided over by a Judicial Officer designated as Magistrate. A Subordinate District Council Court has original jurisdiction over the cases where the parties did not belong to the same village. An appeal against the orders of the Subordinate District Council Court would be preferred to the District Council Court. A Subordinate District Council Court had the power to try cases except the following cases involving offences punishable with death imprisonment for life; cases in which one

101. Interview with Lalbiakthanga, ex-Village Council President, Kolasib Village dated the November 2, 1989.

of the parties was a person not belonging to a scheduled tribe and cases in connection with sedition, rioting contempt of public servants and false evidence.¹⁰²

Lastly, there was a District Council Court having jurisdiction over the whole of the Lushai (Mizo) Hills excepting the Pawi-Lakher Region. It consisted of a President and two judicial officers. It was a Court of appeals. It heard appeals from lower Courts. It could transfer a case from a court of appeals in respect of all suits and cases triable by the Subordinate Court.¹⁰³ Appeals against the decision of the District Council Court could be made to the Gauhati High Court whose jurisdiction was extended to the Hill Areas of Assam by February 1948 within ninety days from the date on which orders were passed by the District Council Court.

With regards to Pawi-Lakher Region, Village Council and Regional Council Courts were constituted. Their jurisdictions were the same as those of the Lushai Hills Village Courts and District Council Courts respectively.

In 1956, the Lushai Hills District (Inheritance of Property) Act 1956 was enacted by the District Council

102. The Lushai Hills Autonomous District (Amendment Administration of Justice) Rules, 1953, Rule 23, Sub-Rule (i).

103. Ray, Animesh. Op.cit., p. 83.

under which a person of sound mind may dispose of by will his property which he could alienate during his life. When a person has no will, or the will left by him does not cover all of his property, the whole property or the property not covered by the will, as the case may be, shall devolve in accordance with the customary laws. Under this Act, a girl who bears an illegal mate child called Sawn was entitled to received Rs. 40/- from the Sawn's father and this is known as Sawn man. After a Sawn became the age of 3 years he/she may live either in his/her mother's house or father's house. This Act still exists even today.¹⁰⁴

The District Council has also framed Regulation called 'The Mizo District (Market) Regulation' on December 27, 1954 for the management and control of markets in the Mizo Autonomous District. The new market can be established without the prior approval of the Council. The Pawi-Lakher Regional Council did not enjoy this power of making market. As such, there was practically no market existing in the Region for a long time.¹⁰⁵ Under this Regulation, Re.1/- was to be collected from every grocer as market fee and

104. Zoram Hriatirna (District Council Information), 15th March 1956, Aizawl, p. 4.

105. Prasad, R.N. Op.cit., p. 144.

Rs.6/- from the person selling goods particularly taken from neighbouring states.¹⁰⁶

Last but not the least, the Lushai Hills District (Fund) Rules and the Pawi-Lakher Regional Council (Fund) Rules were passed in 1962. The fund contained all receipts realised by the District Council and Regional Council and also included liquid assets, surplus revenues, customary receipts, cash balance and bank balance. Moreover, the financial powers were invested with the Executive Committee of the District and the Regional Councils.¹⁰⁷

The Mizo District Council was dissolved¹⁰⁸ when Mizo Hills was converted into a Union Territory. The laws made by the District Council are, however, to remain in force till altered, repealed or amended by the Mizoram Legislature. When the Mizo District Council was abolished in the election of the Mizoram Legislative Assembly on April 29, 1972, three autonomous districts of Pawi, Lakher and Chakma came into existence with headquarters at Lawng-thai, Saiha and Chawngte respectively.¹⁰⁹ The Acts, Regulations and Rules made by the erstwhile Pawi-Lakher Region

106. Mizo District Council Notification No. E. 3586/1.5.1956, Aijal.

107. Prasad, R.N. Op.cit., p. 150.

108. The Constitution of India, Paragraph 20A.

109. Ibid., Paragraph 20B.

are to continue in force till amended by the three District Councils. The Pawi-Lakher Autonomous Region (Administration of Justice) Rules, 1954 would continue to be the rules for administration of justice in Pawi, Lakher and Chakma autonomous districts till amended or repealed by the corresponding District Councils.

Relationship Between District Council and State Government

Though the Hill Areas was made into six autonomous District Councils, it continued as part of Assam and the Sixth Schedule was not to affect the unity of the State.¹¹⁰ The District Council was, as a matter of fact, only in respect of the peculiar tribal customs and it was not to disturb the unity of administration. On the other hand, the State Government also continued to secure to the tribal people the liberal administration by promoting educational and economic interest and protecting them from social injustice and all forms of exploitation.

The State Government did not exercise effective control over the affairs of the District Councils. No provision was made for the co-ordination of the activities of the District Councils and the State Government. In fact, the State Government was not in a position to assess and

110. Interview with Hmingthanga, knowledgeable person, dated February 9, 1988.

review the working of the District Councils. As such, the District Councils functioned as independent political units. As a consequence, the District Councils did not surrender the unspent grants to the State Government. They always transferred the amounts from one major head to another without proper sanction. The District Councils violated somewhat frequently financial rules.¹¹¹

One point has to be noted here that the only relationship between the District Councils and the State Government was the approval of the legislation passed by the District Councils by the Governor and the sanctioning of grants. The District Councils thus functioned more or less independently of the State Government extremely jealous of their powers given to them by the Sixth Schedule and at the same time suspicious of even the best intentions of the State Government. The District Councils did not make use of the experience of the Government officers like the Deputy Commissioner in the administration of the District Council. At one time, there were deadlocks in the administration of the District Council in the Mizo Hills. No specific provision has been made in the Sixth Schedule to meet such a situation. As such, the Mizo District Council

111. Rao, V.V. Op.cit., p. 308.

settled the problem itself which clearly indicates that the District Councils functioned in their own way.¹¹²

Of late, the State Government got itself involved in the affairs of the District Councils as there was a demand for the creation of a Hill State comprising the autonomous districts of Assam. The States Re-organization Commission examined this demand and recommended maintenance of the status quo, with closer liaison between the Assam Government and the Districts Councils.¹¹³ The Commission observed thus:

It is clear to us that a great deal of misunderstanding, is now due to lack of adequate contact between the Assam Government and the District Councils as regards both ordinary administration and development work. We are surprised to note that no use was being made at present of the district officers by the District Councils and that no provision has been made in the Sixth Schedule for the maintenance of any contest between them. An important step in the direction of providing better liaison, in our opinion, will be the appointment of a Commissioner to be in-charge of the administration and development of all Hill Districts. We envisage that the Commissioner would act as the Governor's agent for the various purposes laid down in the Sixth Schedule and that he, with the assistance of the district officers, would help the District Councils in their various day-to-day problems so as to remove difficulties

112. Rao, V.V.; Thansanga, H. and Hazarika, Niru. Op.cit., p. 198.

113. Report of the States Re-organisation Commission, 1955, Ministry of Home Affairs, New Delhi, 1956, p. 184.

speedily. He may be assisted by a development board consisting among others of representatives of the different District Councils. This should help to focus attention on the economic need of this area and promote rapid development.¹¹⁴

This recommendation was accepted and the State Government appointed a Commissioner for Hill Areas. However, the Deputy Commissioner continued to be the Agent of the State Government for the Mizo District Council and the Pawi-Lakher Regional Council. Hence, the Deputy Commissioner continued to be the principal figure of the Assam Government in its contact with the District.

Thus, the Head of the State may, at any time annul and suspend any Act or resolution of the District Council if and when necessary. In such case, he may assume to himself all the functions and powers of the Council for a period of six months at a time. But he had no power to dissolve the Council without the recommendation of the Commission to be appointed by the Government.¹¹⁵ So far as the Mizo District Council was concerned, the Head of the State (Governor of Assam) never exercised this power because the procedure for the dissolution of the Council was dilatory in character and delaying in nature.

114. Ibid., pp. 189-90.

115. The Constitution of India, Paragraph 14 of the Sixth Schedule.

However, the State Government involved itself in the District Councils either through nomination of members to the District Councils or by appointing Commissioner to inquire into the functioning of the District Councils or by taking over of whole or part of the administration of the District Councils or even through the system of grants-in-aid and agency functions.

Differences between the District Council administration, traditional administration and District Administration

In the Mizo Hills, a new power structure (the District Council), as stated earlier, emerged in 1952 where the hereditary Chiefs had no place and a strong anti-Chief body came to power. It was therefore, an important landmark in the history of Mizo society.¹¹⁶ Thus, the rulers were to be elected by adult franchise to administer the functions and exercise the powers entrusted to the District Council.

The District Council administration brought about a significant change in the character of administration in the Lushai (Mizo) Hills. The main difference lies in the fact that the District Council administered the villages and the Lushai (Mizo) Hills as a whole through a democratic political institution in accordance with the provisions of the Sixth Schedule while the traditional administration

116. Bandyopadhyay, P.K. Leadership Among the Mizos, (B.R. Publishing Corporation, Delhi, 1985), p. 61.

of the village was run by the hereditary Chiefs. During this period, the institution of the Deputy Commissioner continued to exercise a lot of powers. He was the head of all departments. Even in judicial matters, he could deal with all cases - civil and criminal within the jurisdiction of the District Council.

Though the creation of District Council was an important landmark in the history of administrative developments in the history of Lushai (Mizo) Hills, it failed to satisfy most of the aspirations of the Mizos. As a result, people began to conceive the idea that all the areas inhabited by the Mizos contiguous to the Mizo Hills should be under a common administrative set up.¹¹⁷

During 1952-1970 there was stability in Mizo politics due to the dominance of a single political party, the Mizo Union, which had absolute majority in the District Council. However, the Mizo Union was not satisfied with the status of District Council and thus played an important role in mobilising the people and moulding public opinion in favour of better status by way of granting statehood to Mizo Hills within the framework of the Indian Constitution. The Mizo Union also carried on a relentless fight for

117. Interview with politicians like Vanlianpuia, Awithanga, T. Ngura and Hmangaiha and beaurocrats like Malsawma, Thanngura and S. Liana.

achieving the demand. The Mizo Unionists - H.K. Bawichhuaka, Ch. Chhunga and C. Pahlira met the Prime Minister Mrs Indira Gandhi in Delhi on June 22, 1966 and submitted a memorandum reaffirming their demand for a Mizoram State within India as the only solution.¹¹⁸

While the Mizo Union demanded statehood, another group under the leadership of Lalbiakthanga formed the United Mizo Freedom Organization with the idea that it would be better for the Mizos to be a part of Burma than that of India. On the other hand, the Mizo National Front demanded an independent state for Mizoram. Encouraged and motivated by this feeling the Mizo National Front started fighting for independence from March 1, 1966.¹¹⁹ This was one of the basic political issues in the Mizo Hills politics during the sixties.

It thus appears from the above that there was instability in Mizo politics as well as in the district administration particularly from 1966 onwards due to the outbreak of insurgency. There were, thus, frequent changes in the office of the Chief Executive Member of the District Council during 1970-1972 as no political stability prevailed.

118. Memorandum of the Mizo Union submitted to the Prime Minister, Mrs Indira Gandhi on 22nd June, 1966.

119. Interview with Ramthanga, ex-Additional Deputy Commissioner, MNF, dated January 20, 1987.

CHAPTER V

MIZO HILLS AS UNION TERRITORY

Formation of the Union Territory of Mizoram

Formation of Ministry

Administrative Developments

Changes Brought About in the Administrative Set Up

Formation of the Union Territory of Mizoram

After the introduction of the District Council in the Lushai Hills in 1952, events took a different turn. The educated elite were not satisfied with the working of the District Council which could not make much headway in the development of the district due to the lack of financial assistance from the Assam Government. Thus, the District Council itself came in for severe criticism within a decade of its inception.¹ This led to the tendency for separation from India. It was a fact that during this period, the political leaders of the Lushai Hills pursued the cause of the demand for a Hill State.

During this period, it was also felt that introduction of Assamese language in the schools in the autonomous districts of Assam would bring the hills and the plains to a closer understanding, but it was not so. Instead, the Assam Official Language Act, 1961, generated an agitation in the Lushai Hills against Assamese being declared as the State Language.² Regarding the introduction of

1. Interview with Vanlalruata, Politician, dated January 9, 1985.

2. Rao, V.V., Thangsanga and Hazarika, Niru, Op.cit., p.59.

Assamese language in the schools of the Hills areas, the Mizo Union felt that the language of the hills should also be taught in the Assamese schools. If it was not, the teaching of Assamese in the schools of the hills would be interpreted as aimed at influencing and dominating the hills people through Assamese language. The Mizo Union also deliberated on the creation of a separate hill state and the idea received the favour of the meeting as a whole.³

In a joint memorandum submitted to the States Re-Organization Commission, the District Council and the Mizo Union which dominated the District Council expressed their unwillingness of the then Assam Policy. The memorandum concluded:

The position has placed Assam, the easternmost frontier State of India, into one of political unrests born of a feeling of frustration and of suspicion which is taking shape; and unless a solution could be arrived at through the mediums of the Commission a more serious complexity can be foreseen in this most important frontier State falling as it is between East Pakistan and Communist infested Burma.⁴

The memorandum contained also the suggestion that the Mizo-inhabited areas of Manipur and Tripura should

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3. Proceedings of the Meeting of the Executive Committee of the Mizo Union, January 31 to February 3, 1964.
 4. Memorandum jointly signed by the Chief Executive Member, Lushai Hills District Council and General Secretary, Mizo Union, April 17, 1954.

be annexed to Assam and these areas along with Lushai district should form one Mizo District.⁵

However, after a short while, the Mizo Union stalwarts thought that a separate Mizoram State within the Indian Union would be more advantageous than a separate Hill State. So they decided to demand a separate State for Mizoram within the framework of the Indian Constitution.⁶ Thus, the Mizo Union started mobilising people and moulding public opinion in favour of a separate State for Mizoram.

Similarly, the United Mizo Freedom Organization passed a resolution that the Government of Assam be requested to form a new State consisting of Manipur, Tripura, the autonomous districts of Assam and North Eastern Frontier Agency.⁷ This resolution was taken because the adoption of Assamese as the official language of Assam put the hill people in a difficult position.

Lalmawia, President of the United Mizo Freedom Organization, who was interviewed by the States' Re-organization

5. Ibid.

6. Interview with Thanghrima, Politician, dated September 2, 1987.

7. Proceedings of the United Mizo Freedom Organization, October 1 and 2, 1953, Aijal.

Commission on May 4, 1955, demanded for a separate Hill State.⁸ He also gave an assurance to the Chief Minister of Assam to withdraw the demand for a separate Hill State if their grievances regarding introduction of Assamese language in the Hills districts of Assam and inequality in representation in government services were met and a minister from among the hill people was selected to deal with the tribal affairs. It was reported that the Chief Minister of Assam also agreed to consider all the demands.⁹

By studying point by point of the demand for a Hill State, the Commission stated that:

the result of the inner line regulation policy as administered by the British, illustrate the dangers of deliberate and complete segregation. This policy, however, in point of fact was not enforced so much against the other Indian communities. The broad effect of throwing the tribal areas open to some but not to all external influences during the period of the British occupation has been to divide the tribal people themselves and to create as a result of British and Missionary influence a new class which has so far remained quite distinct from the general public either in the hills or in the plains. The creation of a new Hill State will in our opinion accentuate these distinctions. It will, therefore, prove in the long run, against the interests of the Scheduled tribes.¹⁰

8. Zoram thupuan, (Official Newspaper of UMFO), May 7, 1956, p. 186.

9. Ibid.

10. Report of the States Re-organisation Commission, Ministry of Home Affairs, Delhi, 1956, p. 186.

Thus, the Commission was of the opinion that no separate Hill State should be created because separation would add to the cost of administration and the co-ordination of policies and programmes in Assam and hill areas would become difficult. Further, it stated that the Lushai Hills, United Mikir and North Cachar Hills are not in favour of a separate Hill State and the District Council in the Lushai Hills and the Mikir Hills National Council are in favour of the status-quo. The agitation in favour of a Hill State was, therefore, confined to the Garo and the Khasi and Jaintia Hills. The Commission thus concluded that the formation of a Hill State in this region is neither feasible nor in the interest of the tribal people themselves. The Hill districts, therefore, should continue to form part of Assam and no major changes should be made in their present constitutional pattern.¹¹

On the other hand, the Commission recommended that the working of the District Councils under the Sixth Schedule to the Constitution should be studied by a Committee specially appointed for this purpose.¹² However, the Nagas did not appreciate the recommendations of the Commission and therefore started their fight for independence.

11. Ibid.

12. Ibid.

In December 1957, Prime Minister, Jawaharlal Nehru visited Shillong with a view to stop the eroding confidence of the hill people in the Government of Assam. He met the leaders of the Eastern India Tribal Union (EITU) and proposed to have a minister for tribal affairs. Thus, in January 1958, three hill leaders of EITU - Captain Williamson Sangma, the then Chief Executive Member of the Garo Hills District Council, was appointed Minister for tribal areas, Larsing Khyriem from the Khasi and Jaintia Hills was appointed a Deputy Minister. From the Lushai Hills, Lalmawia was appointed Parliamentary Secretary.¹³

However, within a short spell of time problem arose amongst the hill leaders themselves regarding the performance of EITU and, later on it became defunct.¹⁴ On July 6 and 7, 1960, the leaders of the hill districts met at Shillong and formed a new political party - All Party Hill Leaders' Conference (APHLC). All the political parties in existence in the hill districts, the District Congress Committee, the Tribal Union, the Mizo Union and other local political parties merged with the APHLC. The APHLC resolved that the hill districts should separate from Assam and form an Eastern Frontier State.¹⁵

13. Vanlawma, R. Op.cit., p. 188.

14. Interview with R. Vanlawma, General Secretary, Mizo Union.

15. Proceedings of the Meeting of the APHLC, November 23, 1960, Haflong.

This period also witnessed a great famine called Mautam in the Lushai Hills. To meet this critical situation, the Government of Assam supplied free food and voluntary organizations were also formed to alleviate the distress of the people. One of such organizations was Mizo National Famine Front (MNFF). The MNFF collected house to house donations for relief of the people in distress. Even the district administration sought the help of the MNFF in organizing relief work in the interior villages. However, the Government of Assam delayed initiating relief measures which caused serious discontent among the people. As such, the MNFF launched demonstrations and processions demanding adequate supply of food for the Mizos when the Chief Minister of Assam, B.P. Chaliha and Tribal Areas Minister, Captain W. Sangma, visited the Lushai Hills.¹⁶

When the famine was over by 1961, the Famine Front turned itself into 'Mizo National Front' (MNF) on October 28, 1961, with Laldenga as its President. Hence, it changed its line of action and declared itself as a political party with the objective of the creation of sovereign State of Mizoram. The objectives of the Mizo National Front were as follows:

16. Interview with R. Vanlawma, one of the founders of the MNFF, dated March 7, 1989.

- a) To serve the highest sovereignty and to unite all the Mizos (and their inhabited areas) to live under one political boundary.
- b) To uplift the Mizo position and to develop it to the highest extent, and
- c) To preserve and safeguard Christianity.¹⁷

In fact, the Mizo National Front was organized with military outlook and secessionist tendencies. Many young men enrolled themselves in the party and were given lectures on nationalism and trained to use fire-arms. Thus, they slowly got indoctrinated in the objective of complete independence of Mizoram.¹⁸

The MNF was strengthening its foothold throughout the Mizo district. It moved against the Mizo Union which dominated the then District Council whom they held responsible for the backwardness of the Mizo District. In this regard Roy Burman observed that:

The initial bottlenecks retarding the relief measures belatedly taken up by the State Government, caused serious discontent among the people. And the fact that the Mizo Union, an associate of the Congress Party, was at

17. Tlangchhuaka (ed.), Mizoram Politics, MNF Headquarters, 1973, p. 19.

18. Collected from Private Diary of Captain Lalbiakthanga, May 2, 1966.

the helm of affairs at the district level gave the MNF additional handles to direct the campaign mainly against the Mizo Union. When the Mizo Union parted company with the Congress Party, following sharp differences on the famine relief and the State official language issue in 1960 ... its (MNF's) leaders started double talk and sought to exploit the differences between the Assam Government and the Mizo Union held District Council.¹⁹

Thus, the Mizo National Front raised communal and secessionist demands while the Mizo Union fought for an Eastern Frontier State.²⁰ On the other hand, the Mizo Union became dissatisfied with the slow pace of the All Party Hill Leaders' Conference Movement for an Eastern Frontier State. Later, the Mizo Union withdrew itself from the APHLC and raised the demand for a Mizo State within India. At the same time, the Mizo National Front was not only preaching for sovereign independence but sending its leaders and followers to (the then) East Pakistan for training in guerilla warfare.²¹

The MNF intensified its activities and recruited volunteers and arranged for their training in guerilla warfare and imported and stockpiled firearms. The Mizo Union also raised unarmed volunteers force for launching

19. Burman, B.K. Roy. Demographic and Socio-Economic Profiles of the Hill Areas of North East India, (Publication Department, Delhi, 1969), p. 133.

20. Ibid.

21. Diary of Major Lalzuiliana, MNF army, dated August 12, 1969.

a movement for creation of a separate Mizoram State, and when the Mizo Union announced its line of action for non-violent direct action, the danger of direct confrontation between the two parties would become real.²²

The Mizo Union and the Mizo National Front contested the bye-election to the third Legislative Assembly seat in the Mizo Hills which fell vacant due to the resignation of R. Thanhlira, EITU, who was appointed a member of the Assam Public Service Commission. Although the MNF mustered all its strength to win the seat, the Mizo Union captured the seat on the basis of creating not merely a Hill State but also a Mizoram State.²³ In the meantime Prime Minister, Jawaharlal Nehru suggested the Scottish pattern of autonomy which would protect and preserve the identity and culture of the hill people.²⁴ Under this pattern the Members of the Legislative Assembly of the Hill Areas would form a Regional Committee in the Assam Assembly and they would take the initiative in legislations concerning their areas. In case of a difference between the Regional Committee and the Government the matter would be referred to the Governor for his decision.

22. Sarin, V.I.K. India's North-East in Flames (Vikas Publishing House Pvt. Ltd., New Delhi, 1980), p. 152.

23. Interview with R. Thanhlira, ex-MP, op.cit., November 2, 1989.

24. Ray, Animesh. Op.cit., p. 135.

On April 18, 1964, the APHLC requested the Prime Minister, Jawaharlal Nehru to appoint the proposed Commission to look into the affairs of the hill areas and to work out the details. Unfortunately, Jawaharlal Nehru died on May 27, 1964, and the matter could not, therefore, be finalized. Lal Bahadur Shastri, the next Prime Minister, appointed the Commission for the Hill Areas of Assam with H.V. Pataskar as its Chairman. The Commission included also G.S. Rau and Shankar Prasad as members.²⁵

In October 30, 1965, the Mizo Union called on the Prime Minister, Lal Bahadur Shastri to press the demand for early constitution of Mizoram State. The Mizo Union told the Prime Minister that:

A step motherly treatment meted out to the Mizo Hills is responsible for the unfortunate feeling of discontent that we are being treated as second rate citizens. It would be impossible to remove this feeling unless the political aspirations of the Mizos are fulfilled through the creation of Mizoram State while there is no longer any desire to remain as a part of Assam, there is still that sincere desire in the hearts of majority of the Mizos to feel themselves as Indians but which they cannot feel in the present circumstances.²⁶

25. Government of India, Resolution No. 4/2/64-SR(R)-A, Ministry of Home Affairs, New Delhi, the 16th March, 1965.

26. Memorandum submitted by the Mizo Union to the Prime Minister Lal Bahadur Shastri, on the 30th October, 1965.

The Mizo Union leaders were assured by the Prime Minister that the Pataskar Commission would examine their demands while going into the administrative arrangement proposed under the Nehru Plan of autonomy for the Hill Areas of Assam. But the sudden death of Lal Bahadur Shastri and the attitude of H.V. Pataskar made the Unionists unhappy. The Mizo Union therefore boycotted the Commission following Pataskar's refusal to act according to Shastri assurance.²⁷

Just before Pataskar Commission's visit to the Mizo Hills, the Mizo National Front also submitted its memorandum to the Prime Minister of India. The memorandum among other things included:

During the fifteen years of close contact and association with India, the Mizo people had not been able to feel at home with Indian or in India, nor have they been able to feel that their joys and sorrows have really ever been shared by India. They do not, therefore, feel Indian. They refused to occupy a place within India as they consider it to be unworthy of their national dignity and harmful to the interest of their posterity. Nationalism and patriotism inspired by the political consciousness has now reached its maturity and the cry for self-determination is the only wish and aspiration of the people, ne plus ultra, the only final and perfect embodiment of social living for them. The only aspiration and political cry is the creation

27. Sarin, V.I.K. Op.cit., p. 153.

of Mizoram, a free and sovereign State to govern herself, to work out their own destiny and to formulate her own foreign policy.²⁸

When the Pataskar Commission visited the Mizo District, the Mizo National Front, again, submitted a memorandum demanding "sovereign independence for Mizoram."²⁹ Within three weeks of the Commission's visit to the Mizo District, the Mizo National Front started an armed uprising on March 1, 1966 by declaring independence.³⁰

The Mizo Union leaders blamed the then Chief Minister of Assam for the sad developments in the Mizo Hills. They met the Prime Minister Indira Gandhi, and submitted a memorandum alleging that in his bid to overthrow the Mizo Union Party, Chaliha had gone to the extent of lending active and material support to an organization (MNF) which stood for disintegration of India. To him the disintegration of Assam as a State of India is more serious than the amputation of Mizo Hills from India. The memorandum reiterated also the demand of the Mizo Union for statehood for Mizo Hills.³¹

28. Memorandum submitted to the Prime Minister of India by the Mizo National Front, General Headquarters, Aizawl, Mizoram, on the 30th October, 1965.

29. MNF resubmitted the Memorandum which was given to the Prime Minister on October 30, 1965, to the Pataskar Commission.

30. Collected from MNF Captain L.T. Hlira's Diary 2-3-1966.

31. Memorandum of the Mizo Union submitted to the Prime Minister of India on the 20th June 1966.

While visiting the Hill Areas of Assam, the Pataskar Commission received seventy-five memoranda from all the hill districts. Regarding the Mizo Hills, the Commission said that:

The Mizo District Council and the Mizo Union, which controls the administration of the Council, did not respond to our request. We were informed by them that as they stood for complete separation of the Mizo District and the adjoining Mizo populated areas from Assam they had no suggestion to make under our terms of reference. They wanted to discuss with us only the question of the creation of a separate State of Mizoram, which, it was explained to them was outside the scope of our enquiry.³²

By examining the memoranda, the Commission recommended that there should be active participation of the hillmen in the development programme through the District Councils because the dissatisfaction of the people with the economic progress of the hill districts was at the root of the unsatisfactory general relationship between the hills and the plains of Assam. The Prime Minister's scheme of autonomy envisaged that the State Assembly would pass laws applying to the hill areas with the approval of their Members of Legislative Assembly (MLA). The MLAs of the hill districts should form a Hill Areas Committee whose suggestions and recommendations should normally be

32. Report of the Commission for the Hill Areas of Assam, Ministry of Home Affairs, New Delhi, 1966, p. 4.

accepted by the State Legislature. In consultation with the MLAs of the hill districts, the Chief Minister should appoint a Minister for the Hill Areas. There should also be a separate Department of Hill Areas in the Assam Secretariat which should deal with all the matters concerning the hill districts. The administration of the hill areas should be strengthened by the appointment of a Commissioner for the hill areas and a number of heads of departments in technical departments. The economic condition of the hill areas should be raised to the level of that of the plains within a reasonable period of time. There should also be a Hill Areas Development Council with the Chief Minister of Assam as Chairman. The administrative as well as executive functions of the District Councils should be extended with the addition of development and welfare work and the Councils should be given grants-in-aid by the State authority.³³

However, the administrative pattern suggested by the Pataskar Commission would not have met the then situation in the Mizo Hills which in the meantime had been having its own problem of insurgency. Pataskar then suggested that the Mizo Hills should be taken over by the Union Government as a centrally administered area. Within a term of

33. Ibid.

reference, the Commission could not deal with the political and the important aspects of the situation. But on the grounds of geographical location, political and economic aspirations, ethnic affinity, international border and the fact of the neighbouring areas of Tripura and Manipur being Union territories, Pataskar favoured the idea of converting the district into a Union Territory.³⁴ It was thus the Pataskar Commission which had first floated the idea of the Constitution of the Mizo Hills District into a Union Territory.

As regards the formation of a Hill State, Vishnu Sahay wrote to the Home Minister, Y.B. Chavan, on November 17, 1966, that it would be a mistake to think that all the Hill districts of Assam could form one stable unit, because of the deep differences between the different tribes that inhabited the North East India. He then informed the Government of India that the Mizo Hills would not agree to be a part of the Hill State, if it was formed. He, therefore, suggested that the Mizo Hills should be plucked from Assam and formed into a Union Territory. Again, he thought that the geographical factor would render it difficult for the Government of Assam to administer the Mizo Hills effectively.³⁵

34. The Assam Tribune, April 5, 1966, Gauhati.

35. Rao, V.V.; Thansanga, H. and Hazarika, Niru. Op.cit., p. 60.

In the light of the above report, a Cabinet Committee headed by Gulzarilal Nanda suggested the Sub-State Plan under which the hill areas would have a separate Legislature and Council of Ministers, but would remain within India. However, this Plan was rejected by the APHLC and instead launched non-violent direct action. Thus, the Government of India announced on January 13, 1967 that it had decided to reorganize the State of Assam. A federal structure composed of federation units having equal status not subordinate to one another should provide a basis of this organization. A limited number of essential subjects of common interests would be assigned to the regional federation. And, other administrative units of the eastern region might also join the regional federation.³⁶

However, the Mizo Union continued its demands for statehood and submitted another memorandum to the Prime Minister of India. The Mizo Union leaders apprised the Prime Minister of the political instability and growing economic frustration of the people and so stressed the creation of Mizoram State.³⁷

36. Ray, Animesh. Op.cit., p. 138.

37. Memorandum submitted to the Prime Minister of India by the M.U. Leaders Ch. Chhunga, Ch. Saprawnga and H.K. Bawichhuaka on the 15th December, 1970.

Asoka Mehta Committee was then formed to examine the issues and finally arrived at the following consensus - (1) Federal structure should not be the basis of the reorganization of the State of Assam, (ii) there should be maximum autonomy for the hill areas, (iii) each of the autonomous areas would have a legislature with jurisdiction over the subjects assigned to each, (iv) the executive power would vest in an Executive Council which would be responsible to the legislature; (v) the Executive Council would have its own secretariat, (vi) in appointing ministers from the tribal areas, and (vii) District Councils would be abolished.³⁸

With regards to the Mizo Hills, the Government of India realized that the District Council was not a sufficient instrument to take care of the Mizo political unrest. It was learnt that in 1971, the Government of India proposed that the Mizo Hills would be made a Union Territory. It was, however, firstly necessary to ascertain whether this status would be acceptable to the Mizos. The question was hotly debated and discussed everywhere in the Mizo Hills. Almost all the political parties of the Mizo Hills accepted the Government's proposal, except the Mizo National Front

38. Ray, Animesh, op.cit., p. 139.

which continued its demand for a sovereign State of Mizoram.³⁹ Thus the Government of India promptly took the steps to formulate the new system of administration.

Thus the Government of India enacted the North Eastern (Areas) Reorganization Act, 1971, by amending the Indian Constitution (Twenty Seventh Amendment) under which Mizoram was formed into the Union Territory with the thirty-three-Member Legislative Assembly (thirty to be elected and three nominated) and one seat each in each House of Parliament (Lok Sabha and Rajya Sabha), consisting of a Council of Ministers and Lieutenant Governor as its administrative head.⁴⁰

Again, the Act was implemented and accordingly the Mizo Hills District was christened 'Mizoram' and made a Union Territory on January 21, 1972, "comprising the territories which immediately before that day were comprised in the Mizo district in the existing State of Assam and thereupon the said territories shall cease to form part of the existing State of Assam."⁴¹ Raising of the status of Mizoram from a mere District to that of Union Territory opened up new opportunity for Mizoram.

39. Interview with B. Lalthlengliana, MNF Joint Secretary.

40. Official Handbook of the Government of Mizoram, Vol.2, 1973.

41. North Eastern Areas (Reorganization) Act 1971, Section 6.

Prime Minister Mrs. Indira Gandhi inaugurated the Union Territory of Mizoram on the January 21, 1972. In her inaugural speech, she said that this big change-over from a district administration to that of a State-level administration will make a closer link between the Union Government and the Mizo people which will certainly open a new chapter of progress, prosperity and goodwill. She further added that welfare does not lie in violence but in having peaceful conditions in which development can take a place, in which the problems and the difficulties of the ordinary people can be solved. She therefore appealed to the misled young Mizos to abjure violence, turn their energies to constructive purposes, and help their people in a meaningful and creative manner.⁴²

Thus, since January 21, 1972, the administration of the Union Territory of Mizoram began to function. The Chief Commissioner was appointed by the President of India to carry on the territory administration till the constitution of territory legislature and subsequent formation of the Government. The Chief Commissioner was also assisted by a set of officers such as Chief Secretary, Development Commissioner and others.

42. The Union Territory of Mizoram, Speech of Mrs. Indira Gandhi at the inauguration of the Union Territory of Mizoram in Aizawl on January 21, 1972, Directorate of Information and Public Relation, Aizawl, 1972, pp. 1-3.

Formation of Ministry

Before 1952, the Mizo Hills District was not represented in any Legislature, Central or Provincial because it was declared as an Excluded area. All Excluded areas were excluded from representation in any legislatures under the Government of India Act 1935. However, under the Constitution of India, the Mizo Hills from 1954 was represented by three members in the Assam Legislative Assembly till its conversion into a Union Territory with a Legislative Assembly consisting of thirty elected members and three nominated members.

The first general election to the Mizoram Legislative Assembly was held in April 1972. One hundred fifty six candidates contested the election and the result was as follows:⁴³

Name of the Party	No. of candidates contested	No. of won	Votes polled
Mizo Union	25	21	41,645
Mizo Labour Party	21	0	24,549
Socialist Party	18	0	1,704
Independent	63	3	(Pawi-Lakher)
Congress	29	6	34,331

43. Rao, V.V. Op.cit., p. 468.

The above table shows that party position in the Assembly election and the number of votes got by each faction.

Thus, the Mizo Union by getting twenty one seats out of thirty elective seats in the Legislative Assembly, formed the Government. Ch. Chhunga was elected leader by a unanimous vote to head the first popular ministry in Mizoram on May 3, 1972. Later, Ch. Chhunga selected other members of the Council of Ministers, such as Khawtinkhuma, R. Thangliana, Vaivenga (Cabinet rank) and P.B. Nikhuma as Deputy Minister and took oath of office on May 13, 1972. Thus, the Council of Ministers, to aid and advise the Lieutenant Governor, headed by Ch. Chhunga was formed under the provisions of the Government of Union Territories (Amendment) Act, 1971.

When the first Assembly was constituted the party-wise division of the members was as follows - Mizo Union 21; Congress 6; Independent 3, and nominated 3. One of the nominated members was Kapoor Chand Thakur, a Nepali resident of Mizoram, who was nominated to represent the Nepali community in Mizoram.⁴⁴ The other two seats were

44. There is a sizeable number of Nepalis who migrated into Mizoram decades ago.

given to a lady Saptawni and Lalthmingthanga who joined the Mizo Union Legislature Party.⁴⁵ Hence, there were twenty seven members on the ruling side and six on the opposite bench.

At the initial level, the Assembly Secretariat was headed by an Under Secretary. At present, a Secretary has been appointed. It is then a full-fledged secretariat with an Under Secretary, 26 Grade three and 28 Grade four officials in the Assembly Secretariat.⁴⁶

Thus, with a separate identity and a popular government of its own, the Mizoram Government took up the reins where the Government of Assam left off. The Mizoram Legislative Assembly held session twice during 1972, that is, 10.5.1972 to 12.5.1972 and 20.10.1972 to 1.11.1972. During the first session no legislation was passed at all whereas Appropriation Act was passed on October 30, 1972, in the second session. Again, in the second session one private resolution - construction of wild life sanctuary in the

45. The Mizo Union Party, after a period of hectic negotiations merged with the Congress in 1974 and hence the ruling party was the Congress with virtually no opposition at all.

46. Ray, Animesh. Op.cit., p. 147.

area of Chhawrpial and Pathlawilunglen, was passed on November 1, 1972.⁴⁷

Regarding representation in the Indian Parliament, under the North Eastern (Reorganization) Act 1971, Mizoram was allotted one seat in Rajya Sabha (Council of States) and one in Lok Sabha (House of People). The entire territory formed single constituency which is reserved for the scheduled tribes.⁴⁸ In 1972, the Mizo Union won the Lok Sabha seat by defeating four candidates set up by the Socialist; Mizo Labour; the Congress and an Independent respectively. Pu Sangliana, Mizo Union was elected to the Lok Sabha while Lalbuaia to the Rajya Sabha.

Thus, the Mizos not only elected the members of the Legislative Assembly of the Union Territory, they also sent two members of Parliament. This indicated that the Mizos began to enjoy their due share in the democratic set up in the country, in the decision-making both at the local and the national levels. They (Mizos) initiated political recruitment of the people into various roles in the political system. There are now Mizo Ministers, Legislators and Administrators at different levels.

47. A collection of Legislations and Resolutions passed in the Mizoram Legislative Assembly, 1972.

48. The North Eastern Areas (Reorganization) Act 1971, Sections 13 and 14.

Administrative Developments

With the upgradation of the Mizo Hills district to the status of Union Territory, a new era of administration was ushered in in the Mizoram. There was a provision in the Act that the jurisdiction of the Gauhati High Court would also extend to the Union Territory of Mizoram.⁴⁹ The territory administration would also be run by All India Services until it had its own.⁵⁰ A suitable number of officers of All India Services of the Assam cadre would be allowed to the union territories cadre.⁵¹

The same Act empowers the Administrator of Mizoram to carry on a special responsibility with respect to Border Security and Maintenance of Internal Law and Order in the territory so long as internal problem continued. It also gives him ordinance making power.⁵²

Another provision was that all property and assets within Mizo district vested in the Union and all rights, liabilities and obligations of the existing State of Assam in relation to Mizo district were transferred to the Union.⁵³

49. Ibid., Sections 28 and 32.

50. Official Handbook of the Government of Mizoram, 1973.

51. The North Eastern Areas (Reorganization) Act 1972, Section 64.

52. Ibid.

53. Ibid., Section 52.

Another important provision of the Act was that no Act of Parliament in respect of religious or social practices of the Mizos, their customary law and procedure, administration of justice involving decision according to Mizo customary law, ownership and transfer of land and its sources would apply to the Union Territory of Mizoram, unless the Mizoram Legislative Assembly by a resolution decided. Again, administration of justice continues to be in the pattern as was in force before the formation of the Union Territory of Mizoram.⁵⁴ Thus, the Village Council courts, the subordinate District Council courts, and the District Council Court continue to be the Courts of justice in the Union Territory of Mizoram.

In the administration of Mizoram Union Territory, the Lieutenant Governor, in accordance with the provision of Rule 4 of the Business of the Government (Allocation) Rules 1972 allocated the business of the Government to the Ministers on the advice of the Chief Minister for administrative convenience. The Chief Minister, Ch. Chhunga looked after the departments of Political, Home, General Administration, Secretariat Administration, Appointments, Public Works, Power and Electricity, Public Health Engineering,

54. Mizoram Gazette, May 5, 1972.

Planning and Information and Public Relations. R. Thangliana was in-charge of Supply and Transport, Agriculture, Animal Husbandry, Forest and Soil Conservation, Community Development and Labour and Employment. Khawtinkhuma was given Finance, Revenue, Industries etc. Vaivenga took over as Minister-in-charge of Education and Revenue. The Deputy Minister P.B. Nikhuma was allotted Medical and Family Planning and Local Administration.⁵⁵

Accordingly, the Council of Ministers were made collectively responsible for all advice tendered to the Government of Mizoram. The Council of Ministers was the real supreme directing body of the policy in the Union Territory. Ministers were all responsible for all executive orders issued from any department in the name of the Lieutenant Governor of Mizoram. For an easy transaction of the business of Mizoram Government, various departments - Political, Home, General Administration, Secretariat Administration, Appointments, Law and Judicial, Finance, Education, Medical and Family Planning, Public Works, Public Health Engineering, Agriculture, Forest and Soil Conservation, Power and Electricity, Revenue and Community Development and Co-operation, Industries, Supply and Transport, Information and Public Relations, Local Administration and Planning

55. Mizoram Gazette, May 5, 1972.

were created during the formation of popular Government. The whole functions of the Government were distributed among the above departments.⁵⁶ Thus, the first popular Government of Mizoram was devoted for reorganization and building up basic infrastructure for development.

Changes brought about in the Administrative Set Up

Formation of Mizo District into a Union Territory brought about some changes in the administrative set up. Firstly, the Mizo District Council would stand dissolved and cease to exist from the date of which the Mizoram Legislative Assembly would be constituted.⁵⁷ The Mizoram Legislative Assembly was constituted on April 29, 1972, and on this date the Mizo District Council stood dissolved. The Administrator of the Mizoram Union Territory, therefore, passed a number of orders transferring the assets and the liabilities of the Council to the Government of Mizoram - The staff of the District Council was also taken over by the Government of Mizoram. Provisions were also made for the continuance of the laws made by the District Council and in force immediately before the dissolution.⁵⁸

56. Ibid.

57. The Constitution of India, Paragraph 20 A, inserted by Section 13 of the Govt. of Union Territories (Amendment) Act 1971, w.e.f. 29.4.1972.

58. Orders passed by the Administrator of Mizoram under Paragraph 20 A(2)(d) of the Sixth Schedule.

For convenience of administration and to facilitate implementation of developmental programmes, the whole territory of Mizoram was divided into three administrative districts - Aizawl, Lunglei and Chhimituipui. The new administrative district called the Aizawl District with headquarters at Aizawl was created comprising the Aizawl Sub-division of the Mizo District.⁵⁹ Under the Aizawl District four sub-divisions were created, such as, Aizawl (Sadar) sub-division with headquarters at Aizawl; Champhai sub-division with headquarters at Champhai; Kolasib sub-division with headquarters at Kolasib and Mamit sub-division with headquarters at Mamit.⁶⁰

Lunglei District with headquarters at Lunglei was created with the area of the Lunglei Sub-division of the Mizo district.⁶¹ Two new sub-divisions in the Lunglei District were also created - Lunglei (Sadar) sub-division with headquarters at Lunglei and Tlabung sub-division with headquarters at Tlabung (Demagiri).⁶² Lastly, the new administrative district called the Chhimituipui district was

59. Govt. of Mizoram Notification No. GAD 13/72/88, dated Aizawl, the 1st September, 1972.

60. Govt. of Mizoram Notification No. GAS 13/72/Pt/65-68 dated Aizawl, the 29th January, 1975.

61. Govt. of Mizoram Notification No. GAD 13/72/81, Aizawl, the 31st August, 1972.

62. Govt. of Mizoram Notification No. GAD 13/72/Pt/69-71, dated Aizawl, the 29th January, 1975.

created with the District Council areas of Pawi-Lakher.⁶³
There was no sub-division under Chhimtuipui district.

Each new district was under the administration of the Deputy Commissioner who was assisted by the Additional Deputy Commissioners and Assistant to Deputy Commissioner. Again, each sub-division was in-charge of the Sub-divisional Officer. Thus, the Deputy Commissioner enjoyed vast executive and judicial powers and also co-ordinated the development activities of other department in the district. In this way, the whole union territory was reorganized for better administration and faster development in those areas.

Apart from the classification of Mizoram into three administrative districts, the Pawi-Lakher Region was also trifurcated into three autonomous regions, such as Pawi Autonomous Region; Lakher Autonomous Region and Chakma Autonomous Region which later became the Autonomous District Councils with headquarters at Lawngtlai, Saiha and Vaseitlang respectively.⁶⁴

63. Govt. of Mizoram Notification No. GAD 13/72/82 dated Aizawl, the 31st August, 1972.

64. The Constitution of India, 20B.

CHAPTER VI

CONCLUSION

In the pre-British period, the Lushai (Mizos) were a close-knit society with no class distinction from social, religious and economic point of view and no discrimination on grounds of sex. In the Lushai Hills, there was no land-holding system and hence no private ownership of property. In these days a man had to produce himself the material means of livelihood. There was also no impact of money and market economy among the Mizos. However, with the advent of the British administration, the Mizo society began to undergo rapid changes in all aspects of their social life. This trend continued more vigorously since India's independence.

It is a commonly held view that the tribal societies are homogeneous and unstructured units of production and consumption. That is to say, the non-existence of any socio-economic differentiation among tribal population is believed to be the characteristics feature of these societies. This view is commonly held both by the political leaders and the academics. While conceding that these societies are not stratified into distinct groups and classes, it is argued that the concrete reality cannot uphold such assumptions. A scientific study of this society

will enable us to delineate the emerging trends in the socio-economic formation in Mizoram. This is crucial for the understanding of the various stages in the development of administration and its role in the socio-economic development of the State.

Against the background stated above, the following trends are noted - the uneven distribution of land among the individual households and the consequent emergence of private ownership of land, private capital, expansion of trade and introduction of money and market economy and the emergence of an educated and westernized middle class. It is, thus, clear that the class-like formations have already come into being in the society. Thus, social stratification based upon private ownership of land has also become a reality.

In the pre-British period, each Lushai village was ruled over by a Chief who was independent of the other. The Chief was the sole centre of authority in the village. He administered the village along with his council of elders appointed by the Chief himself. The Chief was also helped and assisted by village officials namely - the Ramhual (advisers to the Chief with regard to jhum cultivation), the Tlangau (village crier who informed the public of the Chief's orders), the Puithiam (priest who offered

religious sacrifices) and the Zalen (richmen who helped the Chief in time of scarcity of food).

As head of the village, the Chief enjoyed the privileges of Fathang (paddy tax, that is, six tins of Kerosene oil), Sachhiah (meat tax, that is, a fore-hind leg of the animal trapped or shot), Chichiah (salt tax, that is, salt collected within the Chief's area), Khuaichhiah (honey tax, that is, honey collected within the area of Chief) and Salam (fine imposed upon a person who was found guilty in the dispute). The Chief had also the right to order capital punishment, to seize food stores and property of the villagers who wished to transfer allegiance to other Chief, propriety right over lands; to tax traders doing business within his jurisdiction; right to freedom of action in relation to appointing his son as Chief within his land; to attach the property of his villagers when he wished and right to help bawi who were by custom not open to redemption.

The Chief was all-in-all in the village. His word became law. He settled all disputes with his council of elders. While dealing with the cases, the Chief had to take care of the custom, tradition and usage of the land. The Chief had also a number of bawi (almost equivalent to slave). The bawi were categorized into three groups

such as Inpuichhungbawi (those who were driven out by want of food and shelter took refuge in the Chief's house, Chemsenbawi (criminals who took refuge in the Chief's house and became the property of the Chief) and Tuklut bawi (person who, during war deserted the losing side and joined the victorious Chief by promising that he and his descendants would be bawi). Besides these bawi, the Chief had also a number of Sal or captives who were captured in war and raids. It may be stated here that much of the position of the Chief depended on the bawi custom which was an institution of dependence of certain categories of persons on the Chief.

In fine, the Chief looked after the villagers as his own children. The relationship between the Chief and the people was mainly depended upon the character of the Chief's administration and its role in contributing to the well-being of the people. In fact, the village administration under the Chief before the advent of the British was generally benevolent in character.

However, the character of the village administration had undergone a change when the British annexed the Lushai Hills in 1891. The British found each Lushai village as mini-state ruled over by its own Chief. Being shrewd imperialist, the British felt the necessity of retaining

the chieftainship for the maintenance of the internal administration of Lushai Hills. Again, the British thought it expedient for the sake of their own administration of the area (that is Lushai Hills) to invest the Chief with real power and allow him to run the administration of his village as large a measure of autonomy as practicable. The British authority used to be only a de-jure administrator of the district while the defacto administration was left to the village Chiefs. In fact, the Chiefs were made the representatives of the British authority in their own land. The Chiefs became more powerful under the British rule, but in practice they were subordinated to the British authority even in customary matters.

By annexing the Lushai Hills, the British authority divided the whole Lushai Hills into two districts - North and South Districts for smooth administration. Later on, the two districts were amalgamated as one district under the charge of Superintendent with headquarters at Aijal (old spelling for the present Aizawl). The British introduced a new policy of 'Inner Line Regulation' by which foreigners were controlled from entering into the Lushai Hills without prior permission. This system was introduced in order to safeguard the culture and social customs of the Lushais and to encourage them to develop themselves

according to their own competence. This system continues even today to prevent assimilation from the plains as well as to prevent economic exploitation.

Under the Government of India Act 1935, the Lushai Hills was treated administratively as one of the excluded areas over which the provincial Ministry had no jurisdiction. Thus, as an 'Excluded Area', the Governor of Assam as an Agent of the Governor-General-in-Council was invested with authority over the district. The expenditure incurred in the Lushai (Mizo) Hills was also not voted by the Provincial Legislature because the district had no representation in the Assam Legislature. The district was also not represented in Central Legislative Council before India's independence. In fact, the British wanted to keep the Lushai (Mizo) Hills away from the popular rule or under the Governors and their political agents. However, the British Government failed to provide autonomous administration for the Lushais (Mizos) to manage their local affairs according to their own genius and ability. By following the policy of administrative isolation, the British hindered the Lushais to come into contact with the rest of India which had a large political influence on the minds of the people.

With the British occupation of the Lushai Hills, the Christian missionaries began to enter into the Lushai (Mizo) Hills. The Christian missionaries introduced education and gave 'Roman' script to the Mizo language and the Mizos became educated and thus Christianity changed the social structure of the Mizos. This ultimately led to the idea of having democratic form of government. Thus political consciousness is of a relatively origin with the foundation laid by the Christian educated missionaries.

Although the village administration was left to the Chiefs, the Superintendent laid down the following responsibilities over the Chiefs - The Chief was responsible for all that went on in his village. All orders affecting a village in any way would also adjudicate all civil disputes among the people of his village. He would also dispose of all criminal cases, except those involving heinous crimes. Such serious cases of a heinous nature would be referred to the Superintendent. The Chief should also be responsible for ensuring that records were kept of the following matters - all births and deaths, all movement of people, all changes in licensed guns. Most of the rights and privileges had also been suspended. This was done in order to meet the exigencies of the situation.

The British had also made a change in the mode of succession of chieftainship. Instead of the youngest son, the eldest son succeeded to the office of the father-Chief but the property of the father Chief would go to the youngest son. The main objective of the British policy in this regard was to obtain the Chief's loyalty towards the British administration.

In short, the British did not make much changes in the administration of the village since they (that is, the British) followed a policy of non-interference. The only difference was that the traditional administration of the village was like a form of democracy tempered by disposition while the British made use of the services of the Chiefs to legitimize its rule. This British policy was popularly known as indirect administration which was more or less similar to that existed in British colonies in Africa.

On the other hand, the Chiefs became oppressive towards their people. Their rule was unbearable for the commoners. The commoners, however, could do nothing as the opposition towards the Chiefs was fully safeguarded by the British Superintendent. The British Government regarded the opposition to the Chief's rule as the opposition to the British authority. Thus, the British gave

security to the Chiefs. Under the British rule, some of the Chiefs ruled the villagers autocratically. As a result, the people began to develop a kind of hostility towards the Chiefs. This led to the emergence of political consciousness among the people which resulted in the formation of political parties like Mizo Union and the United Mizo Freedom Organization (UMFO). The Mizo Union was opposed to the Chiefs who were enjoying the patronage of the British authority and in fact, it stood for the abolition of chieftainship. The Mizo Union also demanded the widest autonomy for the Lushai (Mizo) Hills within the Indian Union. At the same time, the United Mizo Freedom Organization put forward its objective of the Lushai Hills joining Burma. Unlike the Mizo Union, the UMFO supported the Chiefs. For example, Lalmawia, the son-in-law of one of the Chiefs, was elected as President of UMFO. While demanding better status, the two political parties fought each other on the issue of the abolition of chieftainship which was the political issue of the day.

After India's independence, the emerging educated section of the society demanded adequate provisions for the protection of their political, social and economic rights. There were also people who thought in terms of an independent Mizo territory. Some organizations wanted

the unification of the entire Mizo inhabited areas in India and Burma under one unified political system. All these demands, in fact, emerged out of the desire for preserving and protecting the Mizo identity.

Meanwhile, the Constituent Assembly of India deliberated upon the problems of the hill districts of Assam which resulted in the setting up of Bardoloi Sub-Committee to assess the opinion of the people over the Constitutional status of their areas in India. On the recommendation of the Bardoloi Sub-Committee, the Constitution of India provided for a Sixth Schedule under which a District Council for each hill district of Assam should be created to safeguard the interests of the hill people and their customary way of life. Accordingly, the Lushai Hills District Council was inaugurated in April 1952. In the southern of the Lushai Hills, the Pawi-Lakher Regional Council was also inaugurated the following year, that is, April 23, 1953. In the first election to the Lushai Hills District Council, the Mizo Union won the majority of the seats and thus run the new administration.

Under the provisions of the Sixth Schedule to the Constitution of India, the Lushai Hills District took over allotment of land for house-sites; forests; regulation of jhumming, control and allotment of land for other

agricultural purposes; establishment of village councils; inheritance of property; marriage and social customs; money lending and trading by non-tribals; fisheries; management and control of markets and assessment and collection of land revenue. It was also empowered to collect taxes on land and building; trades, etc. Thus, the Lushai District Council started functioning as the major executing agency for most of the development works in regard to development of rural water supply, rural communications and other local development and self-help schemes.

The District Council consists of twenty four members including the nominated members. It is a cabinet system of government with an executive committee headed by the Chief Executive Member and two Executive Members appointed by the Governor on the recommendation of the Chief Executive Member.

The District Council is a modern political institution where the hereditary Chief has no place. The first political party which dominated the District Council was the Mizo Union which was a strong anti-Chiefs' organization. The Mizo Union strongly demanded the abolition of chieftainship. On the other hand, the Chiefs were not reconciled to the possible abolition of their offices.

However, the Government of Assam passed an Act called the Assam Lushai Hills District (Acquisition of Chiefs' Right) Act, 1954. Accordingly, the rights and interests of all the existing 259 (two hundred and fifty-nine) Chiefs in the area covered by the Mizo District Council were acquired by the Government of Assam and handed over to the Mizo District Council on April 1, 1954. In case of the Pawi-lakher Region the rights and interests of the existing 50 (fifty) Chiefs were handed over to the Pawi-Lakher Regional Council on April 15, 1956.

The District Council enacted the Lushai Hills District (Village Council) Act in 1953 and subsequently constituted Village Councils in every village in place of the traditional institution of chieftainship. The village council which is a democratically elected body, has to look after the best interests of the village as a whole. The village administration is entrusted with the Village Council. It has also the power to administer justice in the village. In fact, the Village Council is now the only institution in which the village level administration is entrusted.

One of the most important Regulations of the District Council was the Lushai Hills District (Trading by non-tribal) Regulation 1953. As per the Regulation, non-

tribals were not allowed to carry on business in any commodities in the Lushai Hills without prior permission from the District Council. This regulates and controls trading by non-tribals in the Lushai Hills till today.

The District Council also passed the Lushai Hills District (money-lending by non-tribals) Regulation 1953, which discouraged money lenders' entry to the district. In fact, this Regulation was hardly practicable because such business of money-lending was not common in Mizoram.

By enacting the Lushai Hills District (House sites) Act in 1953, the District Council empowered the Village Council to allot land for the construction of houses and other non-agricultural purposes. This Act continues even today. The Pawi-Lakher Regional Council did not pass any legislation on this subject.

As regards the administration of justice, the District Council passed the Lushai Hills Autonomous District (Administration of justice) Rules in 1953. Accordingly, Village Council Courts in the villages, two Subordinate District Council Courts one at Aijal (Aizawl) and the other at Lungleh (old spelling for the present Lunglei) and one District Council Court at Aijal (Aizawl) were created to try cases between the parties belonging to

Scheduled Tribe or Tribes within the jurisdiction of the District Council. In the Pawi-Lakher Region, Village Council Courts and one Regional Council Court were constituted. The power and functions of these courts were identical with that of the Lushai Village Council Courts and District Council Court respectively.

In addition to the above, the Lushai (Mizo) Hills District Council enacted a number of Rules, Acts and Regulations for promoting socio-economic development as well as protecting the distinct identity of the people. Thus, in accordance with the provisions of the Sixth Schedule to the Constitution of India, the District Council administered the entire Lushai (Mizo) Hills, whereas each Lushai Village was ruled over by hereditary Chief before the formation of the Lushai (Mizo) Hills District Council.

Though the District Council has been entrusted with development functions, however, it could not effectively implement them due to inadequate financial assistance from the Government of Assam. As a result, the people of the Lushai (Mizo) Hills aspired for better socio-economic and political status. Even the Mizo Union which dominated the District Council, demanded a separate political status 'statehood' for the Mizos within the Indian Union. The Mizo Union mobilized the people and moulded

public opinion in favour of Mizoram State. The Mizo Union leaders submitted a number of memoranda demanding statehood for Mizoram.

During this period, a famine called Mautam took place which ultimately resulted into armed revolt against the Government of India. This happened because the Assam Government was not prompt in taking relief measures which caused serious discontent among the Mizos. Mizo National Famine Front was formed to help the needy. Later, this social organization turned itself into a political party, that is, Mizo National Front (MNF) with the objective of gaining an independent State for Mizoram which later spearheaded the insurgency movement in the State in March 1966. Thus, due to the united efforts and political skill of the Mizos the Government of India agreed for political settlement and came out with the proposal to constitute the Mizo Hills into a Union Territory. As a result, Mizo Hills District was upgraded to the status of a Union Territory of Mizoram, on January 21, 1972 under the provisions of the North Eastern Areas (Re-organisation) Act, 1971.

Thus, a new era of administration was ushered in in Mizoram. The Mizo District Council was replaced by a Legislative Assembly consisting of thirty three members including the nominated members. The first general election

to the Mizoram Legislative Assembly was held in April 1972. Thus, the Mizoram Legislative Assembly was constituted on April 29, 1972 and on this date the Mizo District Council stands dissolved. For the convenience of administration, Mizoram was then divided into Aizawl District with headquarters at Aizawl; Lunglei District with headquarters at Lunglei and Chhimituipui District with headquarters at Saiha. This was, again, done to facilitate implementation of developmental programmes. The Pawi-Lakher Regional Council which existed prior to 1972 was split into Pawi, Lakher and Chakma autonomous District Councils with headquarters at Lawngtlai, Saiha and Vaseitlang respectively. The Rules, Regulations and Acts framed by the Pawi-Lakher Regional Council are to remain in force under all these three new District Councils till amended by the corresponding District Councils.

By having an elected legislature and a responsible popular Government, Mizoram is no more a regulatory one enforcing law and order alone as had been the principle and practice during the British rule. It is now an instrument of socio-economic development. The political powers are also in the hands of the Mizos. Administration in Mizoram is streamlined to meet the demands of the growing and traditional society. Thus, administration plays a

significant role in solving the problem of integration and participation. Thus, it is clear from the study that the administrative pattern had undergone a significant change with the transformation of the Lushai Hills District into the Lushai (Mizo) Hills Autonomous District Council and to Union Territory of Mizoram in 1972.

On the whole, the study investigates the various changes in the administrative structure from the village traditional administration to Union Territory administration. This study is the first of its kind because no serious attempts were made so far. It is true that few research articles were written and published before, but the treatment of the subject is too scanty and limited. This study therefore tries to probe beyond what was done before by delving deeper to arrive at wider and concrete conclusions.

The findings of the study are very clear. In short, we found that -

- (a) in the past the traditional administration of the village was run by the Chief;
- (b) there was a tremendous impact of the British administration on the Chiefs and their powers;
- (c) a slight difference between the British and the traditional administration existed;

- (d) there were a number of factors leading to the formation of the District Council in the Lushai (Mizo) Hills;
- (e) the character of District Council administration and the Assam State administration differed greatly from one another; and
- (f) there was some kind of improvement under the Lushai (Mizo) Hills District Council administration than before, when the area under study was under the then Composite State of Assam. There was further development in the area after the creation of a Union Territory of Mizoram.

However, the present study tries to answer many important issues, it has, no doubt, its own limitations and constraints. Many other areas of enquiry are still left to be covered. They are, we feel, beyond the purview of the present study. Therefore, we would like to mention a few more important areas of enquiry which need to be seriously taken for further study. In a nutshell, these issues are like - the role of Bureaucracy in the administrative development in Mizoram State and emergence of representative institutions in Mizoram require further research in the future.

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List of Persons Interviewed

Awithanga	- Politician
Chaltuakhuma	- Ex-Member of District Council.
Hmingthanga	- Knowledgeable person.
Hmangaiha	- Politician
Khuma	- Ex- <u>Tlangau</u> (Village Crier)
Lalmaka	- Son of Lallula, ex-Chief.
Lalthima Mrs.	- Ex-Chief's wife
Lalhuatthanga	- Ex-Chief.
Lalthuamliana	- Circle Education Officer
Luaia, Lt. Col. H.S.	- Well informed person who was related to one of the Chiefs.
Lalbiakthanga Capt.	- Mizo National Army.
Lalthlengliana, B.	- Politician.
Liankunga	- Ex-Chief.
Lianhlira	- Ex- <u>Tlangau</u> (Village Crier)
Liana, S.	- Bureaucrat
Luaia, T.s.	- Ex- <u>Upa</u>
Ngura, T.	- Politician

Malsawma	- Bureaucrat
Pahlira, C.	- Ex-President, Mizo Union.
Ramthanga	- Ex-ADC Underground Government of Mizo National Front.
Remrawma	- Aged person.
Saprawnga, Ch.	- Ex-Chief Executive Member of District Council.
Selet Thanga	- A Religious <u>Upa</u> .
Thanhlira, R.	- Ex-Member of Parliament and Ex-Chairman, Assam Public Service Commission.
Thanga, L.B.	- Ex-President, Village Council.
Thangura	- Bureaucrat
Thanghrima	- Politician
Thulova	- Village elder.
Vanlawma, R.	- Founder Secretary of Mizo Union
Vanlalruata	- Politician
Vawmluta	- Ex-President, Village Council.
Vanlianpuia	- Politician.
Zachani	- A knowledgeable person.
Zachono, S.P.	- Congress Leader

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