

Accession of Manipur to the Federation : Issues at stake

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The accession of Manipur to the scheme of Federation under the Government of India Act 1935 created a great deal of furore in Manipur palace politics. Manipur was greatly different from most other princely States as British imperial interests had penetrated deep into the fabric of Manipur administration and politics. The proposed separation of Burma from India gave Manipur the status of a frontier State and the revolutionary fervour of the people of the State had only accentuated apprehension about the perpetuation of imperial interests. Added to this was the problem of hill tribes in the state and the British Indian administrators now adopted the strategy of making the dividing line between the Hills and Plains more pronounced. The Assam Administration only played a second fiddle in this process.

Manipur on a different footing

Manipur being entirely different from most Indian States, there were several constraints on the autonomy of the state, one of which was the Sanad granted in 1907 in favour of the Maharaja expressly making him subservient to the Govt. of Assam.¹ The Maharaja was not the natural ruler of Manipur and was admitted to be 'Unpopular'² so much so that mere withdrawal of the Battalion of Assam Rifles³ from Imphal would have led to his downfall. Again the administration of hill tribes of Manipur were under control of the Govt. of Assam on behalf nominally of the Maharaja. The direct charge was in the hands of the President of the Manipur State Darbar who happened to be an ICS officer of the Assam cadre. Appeals lay to the Political Agent who was held (rather vaguely) to be politically responsible for the hills. Neither the Maharaja nor the Darbar had any real share in the administration of the hills. The Assam administration was very much dependent on the Battalion of the Assam rifles and in view of the revolutionary fervour of the people it was unwilling to accept the responsibility of conducting relations with the state

on the withdrawal of the force.⁴

Maharaja's Attitude

The Maharaja was some what disgusted with this control and in 1931 he had expressed a desire to the Viceroy to have direct relation with the Government of India. In early 1935 the Government of India were endeavouring to work out a scheme whereby Manipur, Coochbihar, Tripura and the various Central Provinces and Orissa States could be brought in direct relations with the 'Crown Representative' i.e. the Viceroy. The Government of Assam however disfavoured the idea on the ground of Manipur being 'an inflammable place' and the Governor of Assam in his personal capacity was considered to be the rightful channel of relations between the Government of Assam and the State through his deputy, the Political Agent and with the support of the Battalion of Assam Rifles. To avoid such a situation, the Maharaja at one stage even harboured the desire to join Burma.⁵

Instrument of Accession

The Government of India Act 1935 contained a proposal for the establishment of a Federation of India comprising such Indian States as may accede thereto and the Provinces of British India constituted as autonomous Provinces. In August 1935 the issue of bringing the provisions of part II of the Act into operation came to the forefront and a draft standard form of the Instrument of Accession was prepared to be executed in due course by the Rulers of the States desirous of acceding to the Federation. The Memorandum of the Instrument of Accession laid down that the Instrument should be regarded as amounting to an acceptance of the Federal constitution as a whole as set out in the Act.⁶ It was explained to the Maharaja that his accession must be substantial i.e. in respect of a sufficient number of items and of items of sufficient importance, to enable the State to become an effective unit of the federation. The tendency on the part of the Rulers to claim the Instrument as their charter and that it must be so drawn that they could ascertain from it and without reference to the Act itself the whole extent of their rights and liabilities was considered to be erroneous by declaring that 'Federation on this idea is inadmissible'.⁷ In the Memorandum it was specifically laid down that there could not be limitations on the executive authority and legislative power of the federation in British India or in any other State. The powers of the federation were to be so encompassing

as to touch the privileges of the Rulers which they possessed in British India in regard to proceedings in British courts. Some real difficulties were apprehended in attempting to ascertain how far the Rulers' rights would be affected by the act of federating. It was expected that 'outside the field accepted as federal his position would be unaffected' but it was made known that "in the federal field his rights as respects, things to be done in, and laws to be made for, his State would disappear as many of the rights of the State fell within the Executive and Legislative spheres." There was a reluctance to permit any express clause safeguarding their rights as they were in many cases illdefined, elastic or enjoyed on sufferance. A general clause was accordingly considered useless and dangerous, "while a general codification of them would be a matter of great difficulty and delicacy which would almost certainly introduce new and most undesirable degree of rigidity." It was suggested that the States would be asked to produce a statement of the exact rights enjoyed by it and those likely to be endangered due to federation and on satisfactory claims being made the matter would be kept for consideration of the Governor General who would take them into account in exercising his discretionary powers and discharging his special responsibilities.⁹

It was explained that the States must have some trust in the Governor General : "he is to act in his discretion and it is essential that his powers should not be restricted, as he will undoubtedly be faced with difficulties which will require a liberal exercise of his powers if a deadlock is to be avoided".¹⁰ In favour of the Ruling Princes the memorandum skilfully declared: "Nothing in this Instrument affects the continuance of your sovereignty in and over the State and subject to the express terms of the Instrument and to any Federal law made for this State by virtue thereof all powers authority and rights of the ruler in and over the state and the exercise thereof are reserved to the ruler of the State".¹¹

Assam Government's reservations

The Government of Assam however expressed some suggestions on the proposed Instrument of Accession in order to have decisive control over Manipur which they felt was necessary in view of the revolutionary fervour of the people. First of all, they suggested that if the Assam Rifles were to be retained in Imphal it was essential that the British reserve should remain as an administered area under the control of the political agent.¹² Secondly, it was suggested that the Dimapur—Manipur road should be maintained by the Crown department. In the third place, it was suggested

sted to have British control over the hill tribes through the Political Agent who were then under the direct control of the President of the Darbar appointed by the Assam Government. The Maharaja's powers were variously curtailed and his sole concern with federation was whether by so doing, he would lighten the political control exercised over him by the Assam Government and regain direct administrative control over the hill tribes. *Prima facie*, the fact of federation in practice was supposed to affect the internal administration of the State very slightly as law and order within the State was hardly to be affected there by, vide items 1, 2, and 3 of the Provincial List. Further, it did not appear that any change in the internal arrangements made on behalf of the State for the administration of the hill areas would be required as a consequence of federating. The paramount consideration for the Assam Government was that after the separation of Burma as a Dominion, Manipur would be a frontier State. In the opinion of the Assam Government the Manipuris never wished to administer the hill tribes with any regard for the interest of those tribes and that "the hillmen will not stand the sort of administration which the Manipuris would give them".¹² Consequently, they apprehended rebellions and tribal warfare in the hills which could inevitably spread to the neighbouring British hill districts. In British India this problem had been recognised in the Act of 1935 by which the hill tribes of Assam were made excluded areas. In their opinion 'to place the Manipur hill tribes under the direct administration of Maharaja and his Darbar would be far more dangerous than to place the Assam hill tribes under the ordinary administration of the Assam legislature'.¹³

British reserve

In this connection the problem of British Reserve was linked up with the necessity of keeping a Battalion of Assam Rifles in Imphal. The Reserve consisted mainly though not entirely of the Cantonment area and it was emphasised that so long as Assam Rifles were retained the Cantonments would be a necessity. The part of the British Reserve about which the Maharaja felt so keenly was the site of the old palace (where the murders of 1891 took place) and the sacred tank. The old palace was the citadel of the area and completely commanded the lines of the Assam Rifles. In their opinion if the Political Agent was to remain responsible for order among the hill tribes, he must therefore have a force of Assam Rifles at his disposal at Imphal. The separation

of Burma from India actually demanded the maintenance of existing imperial interest by stationing military forces in Manipur irrespective of the decision on the hills.

About the location of the Reserve in Imphal the Government of Assam reiterated the earlier stand taken in 1934 in which the Government of India accepted the recommendation of Michael Keane that the *status quo* in this respect must be maintained. The Governor of Assam recognised the aspirations of the Maharaja and his Darbar for the return of the old palace and fort and considered it "a genuine and natural one" but he added : "I would readily accede to it but for the consequences entailed."¹⁴ The withdrawal of the Assam Rifles was ruled out on consideration of the turbulent nature of the hill tribes and on the rationale that to remove this force would be to incur a grave and unjustifiable risk.

Retention of control over hill tribes

After proper deliberations the Government of Assam skilfully asserted : "We are under an obligation to the hill tribes to maintain to them a decent administration ; the consequences of unrest and rebellion among them might be disastrous for Manipur and would be dangerous for those portions of British India and Burma which lie along Manipur's boundaries".¹⁵ The Maharaja was too anxious to appoint his President - undoubtedly a Manipuri in the person of his second son Priyabrata Singh. The Assam Government considered the idea favourably provided control of President remained confined to the valley and that of the hill retained by the Political Agent. So far as the administration of the non-federal subjects was concerned such a course presented no constitutional difficulty. The position was however different as regards federal subjects as the administration of these were to be entrusted to the State or its Officers under section 124 of the Act. The Government of India held that in a backward State like Manipur the main functions of administration related to matters which were not federal and that instances where federal subjects were to be administered by a local agency would be few. The Government of India thus approved the idea mooted by the Assam Administration.¹⁶

Financial Control

In addition, the control being exercised over State finances was considerable. The budget had to be drafted by the President and laid before the Darbar and the Maharaja which was then forwarded to the Political Agent for submission to the Governor

for final approval with such modification as seemed necessary. After the approval the Darbar could transfer between major heads at the sanction of the Political Agent. For almost every budget alteration that the Darbar might desire the sanction of the Political Agent was required and for all major changes that of the Governor. These wide powers of control had made the Maharaja and his Darbar a virtual cipher in the matter of financial administration. It may be noted that this was the relic of the time during the minority of Churachand when the State was in charge of a Superintendent who combined the powers and functions Ruler, Darbar, President and Political Agent. However, when the issue of federation was being discussed the Government of Assam was willing to relax the financial control 'considerably' with powers to step in "if financial disorder threatens, and to ensure that money required for the administration of the hill tribes, the salaries etc of the Officers lent to the State and other essential services is charged on the revenues of the State."¹⁷

Non-State Subjects

Another control being exercised by the Political Agent was over State subjects desiring to enter the State. Infact, no outsider could enter the State without a pass from the Political Agent. This control was being exercised on behalf and with the full approval of the Maharaja who had never expressed any desire for its relaxation. The Maharaja was most averse to the unrestricted entry of outsiders to his State, and since the entry had necessarily to be through the hills which surrounded the valley, the Political Agent was specially interested in the matter. The Government of Assam did not however desire to recommend its alteration or relaxation.¹⁸

Arms Licensing

The question of arms and ammunition also came up in the wake of discussion centering the issue of accession.¹⁹ The Manipuris were disarmed in 1891 after the rebellion and since then licenses had not been granted to them other than the relations of the Maharaja, members of the Darbar and Gentlemen of position. Such licenses were granted by the Political Agent, while the President of the Darbar controlled the issue of arms to the hillmen. The Governnor of Assam suggested that any relaxation of this control would involve "a risk too great to be faced" and justifying the rationale of this policy he stated : "History shows that unless the political Agent continues to control the issue of licenses to Manipuris there would be established a trade in weapons which would be

passed on to hill men or smuggled into Assam or Burma.¹⁹ The British administrators had still fresh in their mind the murder of the Deputy Commissioner of Naga Hills and the annihilation of his escort in 1879 with arms smuggled from Manipur.

Conflict over Imphal's urban status

The Maharaja of Manipur raised a question of great importance to the State in connection with the issue of accession and referred to the Government of India order which laid down that surcharge under Section 138(III) of the Act "shall be assessed by a calculation depending upon the urban population of the State".²⁰ The Maharaja's trouble was that his capital Imphal was shown as a town in the Census tables of 1931 with 85,804 inhabitants, but in reality Imphal was not a town at all; it was a collection of villages around the palace, there being no heavy industries or big business in it. In fact, there was no real town in Manipur except perhaps Imphal Bazar which consisted entirely of Marwari, Punjabi and Bengali shopkeepers, the total population being less than two thousand.

The Maharaja was not willing to federate on income tax. The State had a form of income tax of its own which was really a trading tax or a tax on turnover rather than a tax income or profits. If the State's contribution to the federal Government on a surcharge under section 138 (III) of the Act was to be based on the urban population of Imphal, the Maharaja would regard it as a 'grievous injustice' and a heavy imposition on the State's finances. There was no form of Municipal Government outside the British Reserve and no industries except cottage industries. The people of Imphal depended almost entirely on agriculture as did the other inhabitants of Manipur. Under the terms of the Order the urban population was to be estimated by the Governor-General but it was not prescribed as to how that estimate was to be made. The Maharaja felt that if it were made on the census figures he would not be able to federate without a grave financial injustice to his State. There was no indication of what specific surcharge could be imposed but 'if it were at all considerable the State might be financially crippled and this was a risk the Maharaja could not be expected to take'.²¹

Against this background the Maharaja raised the issue of demarcating Imphal town according to the definition of 'town' in its true sense and thereby estimate its urban population. It was made known that under Section 294(I) the Government had a prop-

posal to make such a declaration in respect to all the areas over which the jurisdiction was then ceded. As to the remaining area it was to be within the competence of the Manipur Darbar to demarcate it in the true sense of the term. To allay Manipur's apprehension the Government of India observed that in exceptional cases the Governor-General could avoid taking into account the census figures if such action was likely to result in unfairness either to the State or the Federation.²² They referred to the census report of 1931 which incidentally stated that about two thirds of the population of Imphal should be regarded as non-urban and about a third as urban. At the same time they could not specify the amount of contribution which the State would be required to pay in lieu of surcharge, since this would be dependent on the rate and conditions of any surcharge which might be imposed by the federation. It was however made known that "the Manipur darbar will not stand the danger of having to pay a disproportionate contribution in lieu of the surcharge if future census reports state the facts accurately".²³ Significantly, it was held that the contribution was not an alternative payment to tribute and the amount paid under it would not bear any relation to the tribute which the State of Manipur was then paying to the tune of rupees fifty thousand.

Production of Salt

The State enjoyed the privilege or immunity in respect of the production and sale of untaxed salt. Manipur salt was necessary for religious observations of Manipuri Hindus, though of course for ordinary purposes a large quantity of imported salt was consumed. The State used to manufacture its own salt from local brine wells and earned rupees two thousand as revenue by leasing out salt wells. The Government proposed an adhoc remission of the cash contribution by an equivalent amount.

Legislative Authority

As regards matters with respect to which the Federal Legislature would have power to make laws for the State by virtue of the Instrument of Accession, the power of the Ruler/State to make laws was to be governed by Section 107 (III) of the Act i.e, the State law would be valid only if it was not repugnant to a Federal law.²⁴ The Executive authority of the Federation would also extend to the State to the same extent as the Legislative authority, since no limitations narrowing the executive authority of the Federation to a greater degree than its Legislative authority was contem-

plated. At the same time, some aspects of the executive authority could also be devolved on the Ruler and his Officers. Outside the field into which the Federal authority was admitted by the Instrument of Accession, the Ruler's powers would also be subject to any restriction imposed by Paramountcy. Broadly speaking, the administration of Justice was also to be outside this field and also finance and the administration of hill tribes where these were not impinged upon by the Federal Legislative entries accepted in the Instrument.

Maharaja's Willingness

The Maharaja expressed his desire to enter into a separate agreement relating to the jurisdiction of the Federal court in a bid to ensure the sanctity of certain documents including, (a) the treaty entered into by Raja Gambhir Singh, on the British Government agreeing to annex to Manipur the two ranges of hills situated between the eastern and western bends of the Barak, dated 18 April 1933 ; (b) Agreement regarding compensation for Kabaw Valley, 1834 and (c) Sanad, dated Simla the 18 th September 1891.²⁵ The Government was, however, not willing to debar the original jurisdiction of the federal court in such cases.

The British Indian Government was indeed eager to maintain its paramountcy over Manipur which hitherto was subject to a number of functional restrictions. In a confidential communication to the Governor of Assam, the Secretary to the Crown Representative emphasised the following points.²⁶

I) to give oral explanation regarding terms of accession ;
II) to discourage speculation as to what would happen in any hypothetical case or as to whether, any right would be more secure in the event of Manipur's accession or in the event of non-accession.

III) not to inform that the Manipur State was being treated differently from all other States in respect to certain entries in view of the geographical situation of the State and the special problems in its administration ;

IV) to remind the State not to allow any leakage of the terms indicated as public discussion would militate against the maintenance of the calm atmosphere essential to enable it to form a sound judgement on the matter of primary importance to itself and its dynasty.

The Maharaja conveyed his willingness to execute an Instrument of Accession having been moved by the 'sense of obligation'

which he owed to the Crown and possibly in view of the verbal threat that failure to accede would forfeit the protection which he had been enjoying hitherto. However, the idea of Federation soon became defunct in view of the political developments affecting British hold over India. Manipur however remained bound hand and feet to the imperial control.

Notes & References

1. *Aitchison's Treaties*, Vol. XII, pp. 196-198.
2. Confidential letter, C. Gimson to J. A. Dawson, 23 December 1934, File No. G. S. 2753 of, 1940.
3. Prior to 1914 there was a regular army battalion.
4. C. S. Mullan to C. L. Corfield, 29 July 1935, File No. Confidential-States A, June 1940 Nos. 1-41 (G.S.)
5. *Future Relations of Manipur State*, a pamphlet dated 7 November, 1935.
6. Confidential File No. 120C of 1936 (G.S.)
7. *Memorandum on the Instrument of Accession*, a Confidential printed document, 3 August 1936.
8. *Ibid.*
9. *Briefnote on the Framework of Federation*, a printed document.
10. *Ibid.* 11. Confidential File No. 120 C of 1936 (G.S.)
12. Confidential Letter J. P. Mills to Secretary to the Crown Representative, New Delhi, 22 April 1937, Confidential A, June 1940, Nos 67-98 (G.S.)
13. *Ibid.* 14. *Ibid.*
15. Note on discussions held at Council House, Calcutta on 2 January 1937 between Government of Assam and the Maharaja.
16. Confidential Letter from Secretary to the Crown Representative to the Secretary to the Governor of Assam, 30th July 1937.
17. Assam Government's stand on Darbar's questionnaire, a printed document dated January 1937.
18. *Ibid.* 19. J. P. Mills to Secretary to the C. R. *ibid.*
20. C. K. Rhodes to Deputy Secretary to the C. R., 30 May 1939, File No. Confidential A June 1940 Nos. 19-66 (G.S.)
21. *Ibid.*
22. Secretary to the Government of India, Political Department to the Secretary to the Governor of Assam, 13 July 1939.
23. *Ibid.* 24. *Note on States' Rights*, a printed document.
25. Sir Churachand Singh to Governor of Assam, 21 July 1939.
26. Confidential letter, Secretary to the C. R. to Secretary to the Governor of Assam 27 January 1939 ;
Linlithgow to Churachand Singh, 27 January 1939 ; File No. Confidential A June 1940, Nos. 19-66 (G.S.)