

**BRITISH ADMINISTRATION
IN MEGHALAYA
POLICY AND PATTERN**

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Our study reveals that the policy and pattern of British administration in the hill areas what is now Meghalaya was characteristically similar to such other areas in the north-eastern region. This administration was in many ways different from the administration of areas outside the north-east, although in tribal areas of the country the experience of the north-east was applied. In the Garo, Khasi and Jaintia Hills the British occupation was not governed by the possibility of direct economic gains for these areas were not economically as promising as others in the rest of India. Nevertheless no possible chance of exploiting the natural resources was spared, though the profits were shared between the chiefs, the workers of the mines and quarries and the Government. This exploitation of natural resources more than compensated the little revenue that was derived from house tax, land revenue, the tax on elephant and timber mahals and other sources of income.

Strategic considerations was equally important a factor for the occupation and administration of these hills for it enabled the British to base their head-quarters in the salubrious climate of Shillong from where their control could extend into the Brahmaputra and Surma valleys and their

neighbouring hills. The British took advantage of their superior political position and organization to turn the early border problems to their advantage and to eventually occupy, or allow the traditional chiefs to retain their states under British suzerainty. The traditional hill-plain hats in the foothills assumed importance as the areas from which penetration could begin and the means used was to control these markets to extract the products of the hills, to market their products there and very often to coerce the tribes by closing the hats. The occupation of the Khasi Hills, that is those areas that became British villages resulted from British anxiety to connect the important stations of Sylhet and Gauhati. The Jaintia Hills ~~was~~ annexed on the pretext of human sacrifice though the underlying motive was to take control of this strategic and economically important state. The Garo Hills, despite a much longer contact with British Bengal, could not remain an island in British India and, therefore, it too came under colonial rule.

The British administrative policy was designed throughout their rule to keep the areas isolated and to rule it cheaply through a multi-tier administrative system involving the traditional **chiefs** as agents of colonial interests. Their professed policy of non-intervention in the way of life of the tribal people was sometimes allowed to be tampered with as and when they felt it convenient which caused serious erosion in the indigenous institutions. Even in matters of

customary laws like those governing succession they did not hesitate to interfere even ruthlessly, but the changes were not so drastic as to completely change the traditional system. Their policy of ruling these areas in isolation successfully prevented effective participation of the people in the struggle for freedom and their obligations to these people even matured into a scheme for retaining the area as a British Crown Colony when the transfer of power was well in sight.

The role of the western missionaries and their efforts in education, proselytization and medical work that came in the wake of British colonialism contributed towards the tribe's modernization. The changing political and constitutional position of the tribals further changed their attitude to things around them. These, followed by the growth of urban centres and the resultant impact of urban culture hastened the process of occupational mobility and the emergence of a powerful middle class to play a crucial role in the social, political and economic life of the Meghalayan tribes.

Our study properly should stop at the preceding chapter for it concludes the thesis. The work, however, would not be complete if no reference is made to subsequent events for the same structure and policy of British administration in these three hills has been retained under the Indian Constitution. Although the national movement for independence

had little impact on the Garos, Khasis and Jaintias the coming of independence was to involve them, more so their leaders, in solidarity movements as has never been witnessed since. This was more evident in the Khasi Hills than in the Garo or the Jaintia Hills for most of the former was not part of British India.

The transfer of power from Britain to the Dominions of India and Pakistan was laid in the Cabinet Mission Plan of 16 May 1946 in which the Cabinet Mission and the Viceroy, in consultation with the British Government issued a statement embodying their suggestions and recommendations towards a solution of the Indian Political question. The most important constitutional issue then was to determine the position and future of the Indian states. Referring to these states the Cabinet Mission said that with the attainment of independence by British India the relationship which had existed between the states and the British Crown would no longer be possible, though it was expected of the states to co-operate with the new Government in building up a new constitutional structure.¹

The position of the states was further elucidated by the Cabinet Mission in its Memorandum on State's Treaties and Paramountcy of 22 May 1946. It stated that with the transfer of power His Majesty's Government would cease to exercise paramountcy. This meant that the rights of the states in

1. N.Mansergh (ed), The Transfer of Power, Vol.VII, No.303, p.586.

relationship with the Crown would no longer exist and that all rights surrendered by the states to the paramount power would return to the states. The void that would arise from the lapse of political arrangements between the states and the Crown was to be filled in either with the states entering into federal relationship with the succeeding Government or Governments or enter into political arrangements with or without them. States were, therefore, free to associate with one or the other Dominion Government, to federate among themselves or to stand alone. The British Government emphatically stated that it would not put the slightest pressure or influence in deciding which Dominion the states should, if they so desired accede to.² Realising that the states would find it difficult to exist independently, the Secretary of State underscored the importance of states to find their appropriate place within one or the other of the new Dominions.³

On 15 August 1947 British rule in India ended and erstwhile British India was partitioned. Earlier an Interim Government was sworn in on 2 September 1946 which was to fill in the time gap pending the framing of a new constitution for India. The responsibility of negotiating with the states to accede into India was entrusted to the States Department of this Government. To remove all possible fears and suspicions

2. Ibid., No.262, pp.522-524.

3. B.S.Rao(ed), The Framing of India's Constitution, Vol.I, p.534.

in the minds of the Indian rulers, Sardar Vallabhbhai Patel who headed this Department issued a statement underlying the paramount necessity of maintaining the unity of the country by the states joining the Indian Union for defence, foreign affairs and communication. He admitted "it is an accident that some live in the States and some in British India."

Although with the transfer of power, paramountcy would lapse, it was in the interest of India and the Indian states that the working of the treaties and agreements should continue to operate until new agreements were made.⁴

The Federation of Khasi States was revived in 1946. In July 1947 an agreement was reached between the states and Sir Akbar Hydari, the Governor of Assam on the three terms that Patel had asked the states to accept.⁵ A few days before 15 August the Khasi states signed the Standstill Agreement. They agreed that with effect from 15 August 1947 all existing arrangements between the Province of Assam and the Indian Dominion on the one hand and the Khasi states on the other should continue to be in force for a period of two years or until new or modified arrangements would be arrived at between the authorities concerned. The agreement was subject to certain exceptions which gave the federated states judicial, administrative, legislative and revenue powers. It was also

4. S.L.Poplai (ed.), India 1947-50 (Select Documents on Asian Affairs), Vol.I, No.39, p.170.

5. D.Das (ed.), Sardar Patel's Correspondence, Vol.V, No.43, pp.42-43.

agreed that all Khasi British villages which decided to rejoin states of which they formerly formed a part should be allowed to do so.⁶

The Government of India faced a greater problem when it came to the question of getting the Khasi states to sign the Instrument of Accession. On 2 December that year, the Governor informed the Khasi chiefs that he had brought with him from Delhi the Instrument of Accession and that they should sign it. It was accordingly agreed that all the twenty five chiefs should assemble at the Governor's residence on 15 December and individually sign the Instrument.⁷ Twenty chiefs signed the Instrument that day, among the remaining five states the chiefs of three were ill and would sign at home, while two refused to sign, it being assumed that the summons had not reached them.⁸ Hydari reported that day to Patel:

That various underhand forces had been at work between 2 December and 15 December is shown by the fact that this morning's proceedings seemed likely to break; for, three of the principal siems; i.e. those of Mylliem, of Khyrim and of Cherra..... refused to sign and wanted more time to "consult their people." I made them realise what the consequences of not signing would be, and after nearly an hour's confabulation among themselves they signed. The rest was easy.⁹

Generally the Khasi states had no desire to join

6. LL.D.Basan, The Khasi States under the Indian Union, pp.1-3.

7. D.Das, op.cit., p.42-43.

8. Ibid., p.44. All but Nobosohphoh, Nongspung, Mawlong, Rambrai and Nongstoin signed on 15 December 1947.

9. Ibid., p.43.

Pakistan. The Syiem of Cherra did flirt with the local authorities in Sylhet before signing the Instrument of Accession but was warned by Hydari against playing that game. The Syiem was attached to Pakistan for the simple reason that some part of his personal land lay in Sylhet. Hydari had exerted his authority during these negotiations by categorically stating that the fact of ~~mere~~ accession was not a guarantee of a particular person continuing as a chief and that if there was substantial amount of feeling in a particular state that its chief was not doing his duty, he would have an enquiry conducted by the Deputy Commissioner. If it was found that allegations against a chief were true fresh elections would be ordered. This undertaking by the Governor reconciled the people at large to the signing of the Instrument of Accession but it was this same statement which was not favoured by the chiefs who found their tenure thereby insecure. The Federation considered it as a diminution of their influence.¹⁰

Nobosohphoh and Nongspung states signed the Instrument of Accession on 11 January 1948 followed by Mawlong on 10 March.¹¹ There remained Rambrai and Nongstoin which procrastinated. Hydari then sent G.P.Jarman, the Deputy Commission/Dominion Agent and his Assistant R.T.Rymbai to these states with instructions that failure to comply would be

10. Ibid., No.72, pp.101-103.

11. S.L.Poplai, op.cit., No55, p.236; White Paper on Indian States, (1950), p.216.

followed by pressure of various kinds and in the last resort to deposition.¹² At one time it looked as if Jarman might encounter armed opposition from Nongstoin and so a platoon of the Assam Rifles was sent into the state "whose presence and Jarman's tact did the trick."¹³ The Syiem signed on 19 March 1948. Rambrai had signed two days earlier.¹⁴ Hydari who felt that the policy should be one of conciliation and patient adjustment of difficulties is said to have told Rymbai before leaving for Nongstoin "Let Junagadh not be repeated."¹⁵ Behind a tough exterior Hydari had a concern that there should be no violence.

More material is now available about how Nongstoin acceded into India. R.W.Selby, the British High Commissioner to India had come across a curious reference in the Sunday Statesman of 28 March 1948 to an alleged appeal to the United Nation Organization Security Council by the Syiem of Nongstoin against the unlawful aggression of the Indian Government in his state. The Syiem was also understood to have sent a note to Jawaharlal Nehru requesting the withdrawal of Indian troops "in order to avoid further complications." Wickliffe, the Syiem's nephew who disclosed this was then preparing to leave for Lake Success to take the matter with the United

12. D.Das, op.cit., Vol.VI, No.74, p.103.

13. Ibid., No.76, p.105.

14. White Paper on Indian States, p.216; S.L.Poplai, op.cit.,

15. D.Das, op.cit., Vol.VI, No.74, p.103; interview with R.T. Rymbai, 8 July 1979.

Nations.¹⁶ Selby's enquiries made in official quarters confirmed that the Syiem had in fact sent a letter to Nehru. There was however no reference in the Syiem's letter to an appeal to the United Nation.¹⁷ Further enquiries revealed that on the day the Syiem signed the Instrument of Accession, certain interest parties were sending out false telegraphic reports to the effect that the Government had sent military forces into the state and that the chief had appealed to the United Nations Organization.¹⁸ That Nongstoin was pressurised into **acceding** into India there is no doubt. The appeal to the world body has still to be ascertained. As for Wickliffe, he now lives in Bangladesh with practically no contact with Nongstoin.

The Khasi states had acceded into India but refused to merge on the ground that the chiefs were elected heads of their respective states and not owners of the land. Their refusal caused Patel to visit Shillong on 1-2-January 1948. His meeting with the chiefs ended in a stalemate over the merger issue, for the Khasis said that only a duly constituted durbar of the states could decide on such a move.¹⁹ Rules were

16. L/P&J/7-10635, R.W.Selby to H.A.F.Rumbold, Commonwealth Relations Officer, 13 April 1948; The Statesman, 28 March 1948.

17. Ibid.

18. Ibid., Selby to Rumbold, 10 May 1948. V.P.Menon, Secretary to the States Department gave the impression to Selby that he considered the whole affair as having no importance at all. The Governor-General accepted these Instruments of Accession on 17 August 1948. L/P&J/7-10635, Selby to Rumbold, 10 May 1948; White Paper on Indian States, p.216.

19. H.Bareh, The History and Culture of the Khasi People, p.241.

drawn up by the Dominion Agent for the nomination and election of members for the Khasi States Constitution Making Durbar.²⁰ This took almost sixteen months. The Durbar was inaugurated on 29 April 1949.

While the Khasi States Constitution Making Durbar had just been convened the Indian Constituent Assembly was preparing its final draft of the Constitution. Nichols-Roy who was a member of both the Assembly and the Durbar urged the latter to accept the broad framework of the Sixth Schedule of the Constitution. This Schedule was the product of the North-East Frontier (Assam) Tribal and Excluded Areas Sub-Committee headed by Gopinath Bordoloi. Its report submitted to the Constituent Assembly on 28 July 1947 stated that the Khasi states had comparatively little revenue or authority and seemed to depend for a good deal of support on the Political Officer in their relations with their people. It believed that there was a strong desire among the people of the states to "federate" with people of non-state villages. It also noted that some of the Syiems favoured amalgamation but their idea of the Federation differed from that of the people in that the chiefs sought greater power for themselves than the people were prepared to concede to them.²¹ Here we may note that factionalism had raised its head in the Khasi Hills with two political bodies vying with each other to voice the demands of the people. The Federation we have already noted. The more

20. LL.D.Basan, op.cit., pp.29-35.

21. D.Das, op.cit., VolVI, p.688.

popular body was Nichols-Roy's Khasi-Jaintia Federation State National Conference. By 1948 Nichols-Roy was much disliked by the chiefs for the official stand he was taking. The Sixth Schedule being principally his contribution he strongly voiced his opinion whenever possible of the benefits that would accrue through the Schedule which was to preserve tribal culture, polity and economy.

Matters came to a head over the question of the future administrative arrangement for the Khasi and Jaintia Hills. On 21 July 1949 the Chairman of the Durbar, R.R.Thomas, read Nichols-Roy's resolution which suggested the formation of an autonomous unit of the Khasi and Jaintia Hills within Assam province. This was followed by the Syiem of Jirang's Amendment demanding one united administration outside Assam which was possible under the provisions of the Instrument of Accession and the Provisions of the Draft Constitution of India, to preserve the rights, privileges and customs of the Khasis. Though Nichols-Roy and his supporters had a majority of members in the Durbar, the vote over the resolution and its amendment went with a 40-46 victory for the chiefs. At this Nichols-Roy and his 39 supporters walked out of the proceedings of the Durbar. The remaining members then elected a 16 member Negotiating Committee which sent a resolution to the Drafting Committee of the Constituent Assembly for a reconsideration of the future status of the Khasis states and non-state villages.²²

22. L.G.Shullai, Ki Hima Khasi, pp.11-13.

The twenty five Khasi states were too small, even collectively to get any representation in the Constituent Assembly. The eminent anthropologist, G.S.Guha was made the representative of the Khasi states, Tripura and Manipur. The Khasi chiefs suffered two disadvantages: Guha does not appear to have said anything on their behalf; Nichols-Roy did all he could to undo the defeat he had suffered in the Durbar. Strong protests were raised in the Constituent Assembly when the Sixth Schedule was taken up for discussion on 5-6 September 1949. Kuladhar Chaliha saw in the Schedule that the "British mind is still there. There is the old separatist tendency and you want to keep them away from us."²³ Brajeshwar Prasad of Bihar "could not be a party to dividing Assam," nor was he willing to jeopardise the interest of India at "the alter of the tribals."²⁴ Rohini Kumar Choudhury echoed Chaliha's statement more clearly in saying "We want to assimilate the tribal people. We were never given the opportunity so far."²⁵ On 7 September a resolution was adopted creating the United Khasi-Jaintia Hills District comprising the territories which before the commencement of the Constitution were known as the Khasi states and non-state areas.²⁶ There was still no mention of whether the district would fall part of Assam. Nichols-Roy was particularly happy that the Khasi states had been incorporated in the Sixth Schedule for it would enable the

23. Constituent Assembly Debates, Vol.IX, p.1008.

24. Ibid. p.1009.

25. Ibid., p.1005.

26. Ibid., p.1078.

same people (apart from being a personal triumph) to have one administration for the two types of areas.²⁷

Oddly enough it was Mohammad Saadulla one of Assam's earlier Prime Ministers who pointed out an important anomaly over what had already been accepted. "Sir", he said,

the Khasi Hills have been relegated to the Sixth Schedule for which Rev. Nichols-Roy is very thankful, but there is a constitutional anomaly. Although the Constituent Assembly is not to find a remedy for that, yet I must sound a note of warning that this small district of Khasi Hills embrace 25 Native States most of which had treaty rights with the suzerain power in Delhi. They were asked to join the Indian Dominion in 1947. Instruments of Accession accompanied by an Agreement were executed by these Chiefs and they were accepted by the Central Government. But though even this area has been included in the Sixth Schedule, up till now no agreement or settlement has been arrived at between the Constituent Assembly of Federation of Khasi States and the Assam Government or the Government of India,²⁸

Saadulla added that Olim Singh, President of the Federation of Khasi States had led a delegation early in November to press their grievances before the States Ministry and the Drafting Committee, but "they are late in the day and nothing can be done at the third reading."²⁹ The Draft Constitution was adopted on 26 November and the Assembly was adjourned till 26 January 1950.

A year earlier an interesting suit was filed in the Federal Court of India by Sati Raja, Syiem of Myllem, against the Dominion of India and the Assam Government. Carefully

27. Ibid., Vol.XI, pp.710.

28. Ibid., p.735.

29. Ibid.,

worded the case reviewed the developments between Myllem and the Indian Dominion since the Standstill Agreement and the arbitrary manner of the two Governments in continuing to exercise the rights, privileges and jurisdiction that the former Government had exercised. Among others, the Syiem wanted a declaration that his state had recovered or was entitled to recover sovereign rights, powers, functions and jurisdiction over his state.³⁰ It must have been quite a disconcertment for the Government's of India and Assam. Sri Prakasa, the Governor of Assam meeting Sati Raja and others on 31 December 1949 was able to make the Syiem withdraw his case.³¹

Something of the irregular manner of administering the Khasi Hills that Sati Raja sought clarification may now be explained. On 15 August 1947, the Governor-General issued a Provisional Constitutional Order abolishing all references to "tribal areas" and the distinction between 'India' and British India. This was followed on 27 August by the Extra-Provincial Jurisdiction Ordinance re-establishing retrospectively the severed links which resulted from the first order. Two notifications were issued under this Ordinance. The first promulgated an Assam Tribal Area Order, 1947, confirming and giving effect to every instrument that is, every notification, order, bye-law, rule, regulation or directive made or issued

30. Case No.V of 1949 in the Federal Court of India, N.Delhi.

31. L.G.Shullai, Ka Ri Shong Pdeng Pyrthei, p.15.

under Section 313 of the Government of India Act, 1935. The second notification authorized the Assam Governor to continue to discharge his former functions in or in relation to the tribal areas in Assam as the Agent of the Governor-General.³² Under provisions of the Extra-Provincial Jurisdiction Order 1947, a special notification, the Khasi States Federation (Administration of Justice) Order 1948 was made applicable from 1 July by the Governor. This notification defined the civil and criminal powers allocated to the Federation of Khasi States and the Khasi states under the supervision of the Assam High Court.³³ A Khasi Federation Court and Executive began exercising the judicial functions formerly vested in the Deputy Commissioner, who retained his dual function as Dominion Agent.

This arrangement existed till the end of 1949. How far successful this system was is yet to be ascertained. One may surmise that very little control was actually transferred to the chiefs whose future remained on the balance. More surprise was in store for the Federation and its chiefs. One day before the Constitution of India was adopted the Governor of Assam passed an order cancelling the Khasi States Federation (Administration of Justice) Order, 1948 and its

32. S. Chaube, Hill Politics in North-East India, pp.80-81; J. N. Choudhury, The Khasi Canvas, pp.362-363.

33. LL.D. Basan, op.cit., pp.12-28. On 4 October 1948 the Ministry of States issued a Supplemental Notification to the Khasi States Federation (Administration of Justice) Order, 1948.

Supplement of the same year. The Khasi States (Administration of Justice) Order 1950 which came into force on 25 January 1950 entrusted civil and criminal justice to the Deputy Commissioner Khasi and Jaintia Hills District, his Assistant and the courts of the Syiems, Sirdars, Lunodohs and Wahadadars in a manner similar to the pattern that had existed during British administration. That same day the Assam Governor also issued a Notification changing the offices of the Dominion Agent, Additional Dominion Agent, Assistant to Dominion Agent and the Court of the Khasi States Federation as referring respectively to the Deputy Commissioner, Additional Deputy Commissioner, Assistant to the Deputy Commissioner, and the Court of the Deputy Commissioner, Khasi and Jaintia Hills District.³⁴

Without any agreement of merger and disregarding the provisions of the Standstill Agreement and Instrument of Accession that the arrangements after 15 August 1947 should continue in force for a period of two or until new or modified arrangements would be arrived at between the Khasi states on the one hand and the Governments of Assam and India on the other, the Constitution of India completed the integration of the Khasi states into the Indian Republic. Part A of the First Schedule of the Constitution read that the territory of the State of Assam "shall comprise the territories which immediately before the commencement of this Constitution were

34. L.G.Shullai, Ki Hima Khasi, pp.27-36.

comprised in the Province of Assam, the Khasi States and the Assam Tribal Areas." Thus the Khasi states and non-state areas became part of the United Khasi-Jaintia Hills District.

As for the Garo Hills there does not appear to have been much resistance to its integration into India. One movement however, needs to be highlighted as even today few Garos recollect the work of Mikat Sangma. Educated at Calcutta University Mikat Sangma returned to the Garo Hills and proclaimed himself chief of the southern part of the hills. Failing to get the title recognized he was charged with sedition, arrested and imprisoned. He escaped and took to the mountains where he was able to collect a band of followers. After partition was effected he advocated that the frontier of East Pakistan with the Garo Hills should be withdrawn thirty miles into the Mymensingh plains.³⁵ Sangma's stand was justifiable as the Radcliffe Award was based on geographical and not on ethnic considerations. Moreover the trade of the southern Garos was as much disrupted as that of the Khasis and Jaintias bordering Sylhet.

British rule over the Khasi-Jaintia and Garo Hills thus superceded the centuries' old political isolation of the hill people and introduced a pattern of administration to suit their own policy. An important feature of this administrative pattern was the integration of distinct tribal

35. Gabrielle Bertrand, Secret Lands Where Women Reign, pp.114-115.

areas into a district or a sub-division. The formation of the Garo Hills or the Khasi-Jaintia Hills districts resulted from the same principle. In the process of acquisition and consolidation of British administration over these hills several of the indigenous institutions and customs were conveniently allowed to become defunct. On the other hand certain other institutions and laws were inducted which were alien to tribal traditions. Nevertheless, the policy of non-interference in the customary way of life got recognized in various acts and statutes which remain in force till today. The Constitution of India accorded statutory recognition to these principles and extended these further by introducing the District Councils.

The two districts remained in Assam for a little over two decades after independence. During these years there was little development other than what Shillong benefited as the capital of the state. The Sixth Schedule failed to satisfy the political, social and economic aspirations of the Khasis, Jaintias and Garos. What did benefit the tribals though, was that the election for the Councils created a consciousness that the Assam tribals should come together, and this they did in the Eastern India Tribal Union and the All Party Hill Leaders Conference. It is not necessary here that the events in the creation of Meghalaya should be narrated. Suffice to say that it was the policy of the Assam Government of not taking heed

of the policy to leave the tribals uninterferred that resulted in the movememts for separation from Assam in the hill tribal areas and the coming of statehood for Meghalaya in January 1972.